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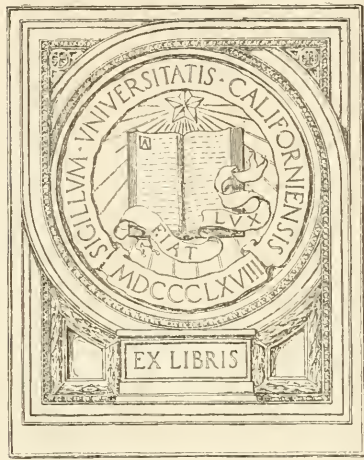


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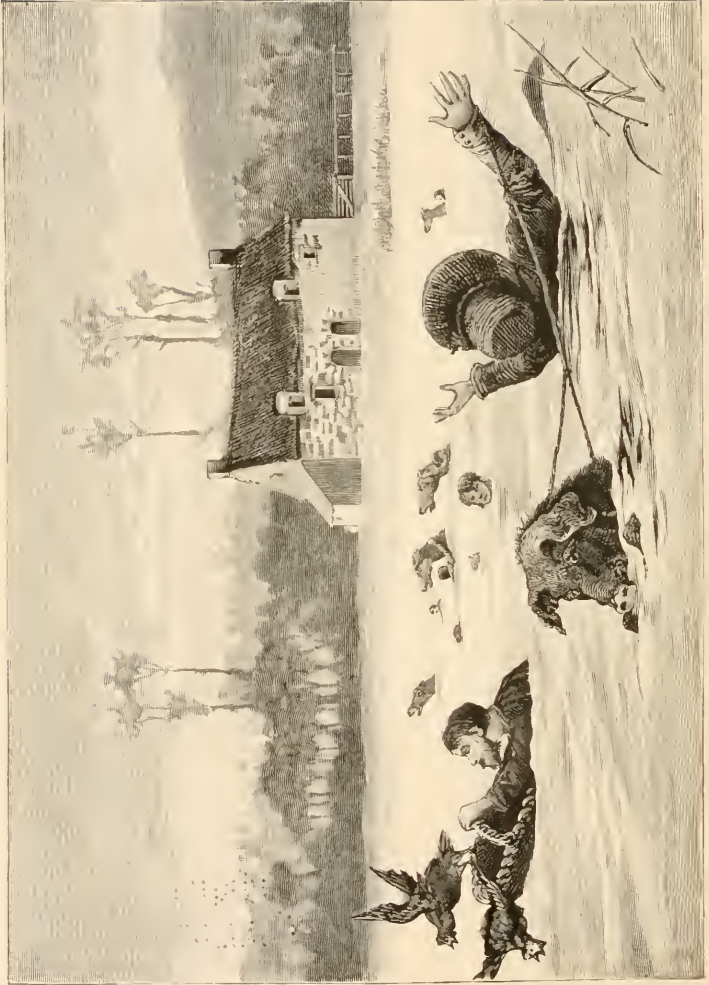
WELLS & LONDON

121

GIFT OF  
Sir Henry Heyman



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MAN'S LIFE SAVED BY FOWLS, AND WOMAN'S BY A PIG.

THE WORKS

OF

# CHARLES READE

A NEW EDITION IN NINE VOLUMES

Illustrated with One Hundred and Twelve Full-Page  
Wood Engravings

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GOOD STORIES

GOOD STORIES OF MAN AND OTHER ANIMALS

READIANA

VOLUME NINE



NEW YORK

PETER FENELON COLLIER, PUBLISHER

1871  
1872

Capt of Sir Henry Neave

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# GOOD STORIES.

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## THE HISTORY OF AN ACRE.

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A. D. 1616.—The “Swan Inn,” Knightsbridge, with a pigtle of land and three acres of meadow skirting Hyde Park, was leased by the freeholder, Agmondisham Muscamp, to Giles Broncham, of Knightsbridge, Winifred his wife, and Roger their son; rent £30 a year.

A. D. 1634.—The same freeholder leased the above to Richard Callawaie and his son, for their lives; rent £30 a year.

A. D. 1671.—The above lease was surrendered, and a new one granted to Richard Callawaie, the younger, for forty-two years; rent £42.

October 19 and 20, A. D. 1674.—The then freeholder, William Muscamp, Jane his wife, and Ambrose, their son, sold the property, subject to Callawaie’s lease and a mortgage of £200, to Richard Portress, baker and citizen of London, for £680.

December 5, A. D. 1674.—Portress sold to Robert Cole for a trifling profit.

March 17, A. D. 1682.—Cole mortgaged the property to Squire Howland, of Streat-ham, for £200, with forfeiture forever if not redeemed by payment of £212, on or before September 18, 1682. This marks the tightness of money in those days, and the high interest paid on undeniable security. The terms of the forfeiture were rigorous, and the £212 was not paid; but the

mortgagee showed forbearance. He even allowed Cole to divide the security, and sell the odd three acres, in 1684, to Richard Callawaie, for £180. For this sum was then conveyed the site of all the buildings now abutting on Hyde Park, from the “Corner” to opposite Sloane Street, and including, *inter alia*, nearly the whole of Lord Rosebery’s site.

July, A. D. 1686.—Nicholas Burchade, goldsmith and citizen of London, purchased the “Swan” and pigtle (subject to Iveson’s lease for 21 years at £50 a year). He paid to Howland, the patient mortgagee, £239 15s.; to Cole and his wife, £700.

But in less than a year he sold to Edward Billing, tobacconist, for £602 10s.

Billing may be assumed to have also purchased Callawaie’s lot, for though no negotiation either with Burchade or Billing is disclosed in the recitals, Callawaie’s interest in the property disappears between 1686 and 1719, and the heirs of Billing are found possessed of the whole property.

A. D. 1701.—Edward Billing made a will, leaving to his wife the “Swan” and pigtle for her life, and this is the first document which defines that property precisely.

July, A. D. 1719.—James Billing, of Boston, carpenter, and Mary his wife, sold to John Clarke, baker, the entire

property, for £675, subject to Anne Billing's life-interest in the "Swan."

Some years later, Anne Billing sold her life-interest to Clarke for £29 10s. per annum.

John Clarke was the first to take a right view of this property and its capabilities.

A. D. 1722.—He granted a building lease, for 61 years, of the three acres, ground rents £3 per house.

His successor, Jonathan Clarke, followed suit, and, in

A. D. 1776, condemned the "Swan," and granted the materials, the site, and the pightle, on building lease, to Ralph Mills, for a much shorter time than is general nowadays, on condition of his building 18 houses, one of which to be the freeholder's, rent free, and Mills paying £59 a year for the other 17.

Now in the will of Edward Billing, already referred to, and dated 1701, the "Swan" and its messuages, and its pightle, are described as "lying near the bridge, and bounded west by Sir Hugh Vaughan's lands, east by the Lazar-cot, north by the wall of Hyde Park, and south by the King's Highway." I should have called it the Queen's Highway; but you must be born before you can be consulted in trifles. From this document, coupled with the building lease of 1776, we can trace the property to a square foot; the back slum now leading to four houses called "High Row," together with those houses, covers the area of the old "Swan Inn." The houses lately called "Albert Terrace," and numbered correctly, but now called "Albert Gate," and numbered prophetically, are, with their little gardens, the pightle.

The "Swan Inn," condemned in 1776, was demolished in 1778, not 88, as the guide books say, and the houses rose. The ground leases were not a bad bargain for the builder, since in 1791 I find his tenants paid him £539 a year; but it was an excellent one for the freeholder's family—the ground leases expired, and the last Clarke enjoyed both land and houses gratis. The three acres of meadow had got into Chancery, and were dispersed among little Clarkes and devoured by lawyers.

A. D. 1830.—The last Clarke died, and left "High Row" and the back slum, erst the "Swan Inn," and the 18 houses built on the pightle—in two undivided moieties—to a Mr. Franklin, and to his own house-keeper, Anne Byford. Mrs. Byford was a worthy, prudent woman, from the County Durham, who had put by money, and kept it in an obsolete chimney *more mulierum*. But now objecting, like most of us, to an undivided moiety, she swept her cold chimney, and, with the help of her solicitor and trusty friend, Mr. Charles Hird, she borrowed the needful, and bought Franklin out, and became sole proprietor.

The affair was not rosy at first: the leases were unexpired, the rents low, the footway unpaved. She has told me herself—for we were for years on very friendly terms—that she had to trudge through the slush and dirt to apply for her quarterly rents, and often went home crying at the hostile reception or excuses she met, instead of her modest dues. But she held on; she could see the site was admirable; no other houses of this description had gardens running to Hyde Park. Intelligence was flowing westward. Men of substance began to take up every lease at a higher rent, and to lay out thousands of pounds in improvements.

Between 1860 and 1865 ambitious speculators sought noble sites, especially for vast hotels; and one fine day the agent for an enterprising company walked into the office of Mrs. Byford's solicitor, Mr. Charles Hird, Portland Chambers, Tichfield Street, and offered five hundred thousand pounds for "High Row" and "Albert Terrace," with its gardens.

In this offer the houses counted as débris; it was an offer for the site of the "Swan" and pightle, which between 1616, the year of Skakespeare's decease, and the date of this munificent offer, had been so leased and re-leased, and sold, and banded to and fro, generation after generation, for an old song.

At the date of the above proposal, Mrs. Byford's income from this historical property could not have exceeded £2,500, and the bid was £20,000 per annum. But a

profane Yorkshireman once said to me, for my instruction, "Women are kittle cattle to drive;" and so it proved in this case. The property was sacred in that brave woman's heart. It had made her often sorrowful, often glad and hopeful. She had watched it grow, and looked to see it grow more and more. It was her child—and she declined half a million of money for it.

A few years more, and a new cutsumer stepped upon the scene—

#### CUPIDITY.

A first-class builder had his eye upon Albert Terrace and its pretty little gardens running to Hyde Park. Said he to himself: "If I could but get hold of these, how I would *improve* them! I'd pull down these irregular houses, cut up the gardens, and rear 'noble mansions' to command Hyde Park, and be occupied by rank and fashion, not by a scum of artists, authors, physicians, merchants, and mere ladies and gentlemen, who pay their rent and tradesmen, but do not drive four-in-hand."

A circumstance favored this generous design: the Government of the day had been petitioned sore, by afflicted householders, to remove the barracks from Knightsbridge to some place with fewer cooks and nursemaids to be corrupted and kitchens pillaged.

The Chancellor of the Exchequer loved economy, and hated deficits, so this canny builder earwigged him. "If you," said he, "will give us the present site of the condemned barracks, and compulsory sale of 'Albert Terrace,' under a private Bill, we will build you new barracks for nothing on any site you choose to give us. It will be *pro bono publico*."

This, as presented *ex parte*, was a great temptation to a public economist; and the statesman inclined his ear to it.

The patriotic project leaked out, and set the "Terrace" in a flutter. After-wit is everybody's wit: but ours had been the forethought to see the value of the sweetest site in London long before aristocrats

and plutocrats and schemers and builders; and were our mental inferiors to juggle us out of it on terms quite inadequate to us?

We held meetings, passed resolutions, interested our powerful friends, and sent a deputation, dotted with M.P.'s, to the Chancellor of the Exchequer.

The deputation met with rather a chill reception, and at first buzzed, as deputations will, and took weak ground, and got laid on their backs more than once; but when they urged that the scheme had not occurred to the Government, but had been suggested by a trader—cloaking lucre with public spirit—and named the person, the statesman lost his temper, and they gained their cause. He rose like a tower, and disposed of them in one of those curt sentences that are often uttered by big men, seldom by little deputations. "Enough, gentlemen; you have said all you *can*, and much more than you need have said, or ought to have said, to *me*: you keep yours, and we'll keep ours."

Then he turned his back on them, and that was rude, and has all my sympathy; for is there a more galling, disgusting, unnatural, intolerable thing than to be forced by our own bosom traitors—our justice, our probity, our honor, and our conscience—to hear reason against ourselves?

The deputation went one way, and baffled cupidity another, lamenting the scarcity of patriotism, and the sacrifice of £100,000 to such bugbears as Meum and Tuum, and respect for the rights of the weak.

Peace blessed the little Terrace for three or four years, and then

"The mouthing patriot with an itching palm,"

rendered foxier by defeat, attacked the historical site with admirable craft and plausibility, and a new ally, seldom defeated in this country—Flunkysism.

The first act of the new comedy was played by architects and surveyors. They called on us, and showed us their plans for building "noble mansions" eleven stories high, on the site of our houses and gardens, and hinted at a fair remun-

eration if we would consent and make way for our superiors. See Ahab's first proposal to Naboth.

We declined, and the second act commenced. The architects, surveyors, and agents vanished entirely, and the leading actor appeared, with his drawn sword, a private Bill. He was a patriot peer, whose estates were in Yorkshire; from that far country came this benevolent being to confer a disinterested boon on the little village of Knightsbridge.

The Bill was entitled

"ALBERT TERRACE, KNIGHTSBRIDGE, IMPROVEMENT ACT."

It is a masterpiece in its way, and very instructive as a warning to all public men to look keenly and distrustfully below the surface of every private Bill.

The PREAMBLE stated that the new road, hereinafter described, from the high-road, Knightsbridge, into Hyde Park, would be of great public and local advantage.

That the Right Honorable Henry Stapleton, Baron Beaumont (hereinafter called the undertaker), was willing to construct the said new road at his own expense, if authorized to acquire certain lands, buildings, and property for that purpose.

And that this could not be effected without the consent of Parliament.

The BILL, amid a number of colorless clauses, slyly inserted that the undertaker of this road (which ought clearly to have been a continuation of Sloane Street straight as a bee-line) might deviate, not eastward into his own property and justice, but westward, like a ram's horn, into the bulk of Anne Byford's houses.

And instead of asking for the unconstitutional power of compulsory purchase, clause 10 proposed that the power of compulsory purchase should *not* be exercised after three years from the passing of this Act.

The abuse might be forced on them. Their only anxiety was to guard against the abuse of the abuse.

Briefly, a cannier, more innocent-looking, yet subtle and treacherous, composi-

tion never emanated from a Machiavelian pen.

It offered something to every class of society: a new public road into the Park, good for the people and the aristocracy; a few private houses that stood in the way, or nearly in the way, of the public road, to be turned into noble mansions, good for the plutocracy and the shopkeepers; and the projector a peer, good for the national flunkysm.

For the first time I was seriously alarmed, and prepared to fight; for what says Sydney Smith, the wisest as well as wittiest man of his day? "Equal rights to unequal possessions, that is what Englishmen will come out and fight for."

I fired my first shot; wrote on my front wall, in huge letters,

## NABOTH'S VINEYARD.

The discharge produced a limited effect. I had assumed too hastily that all the world was familiar with that ancient history of personal cupidity and spoliation *pro bono publico*, and would apply it to the modern situation, with which it had two leading features in common. The deportment of my neighbors surprised me. They stopped, read, scratched their heads, and went away bewildered. I observed their dumb play, and sent my people to catch their comments, if any. Alas! these made it very clear that Knightsbridge thumbs not the archives of Samaria.

One old Clo' smiled supercilious, and we always suspected him of applying my text; but it was only suspicion, and counterbalanced by native *naïveté*; a little tradesman was bustling eastward to make money, saw the inscription, stopped a moment, and said to his companion, "Nabob's vinegar! Why, it looks like a gentleman's house."

However, as a Sphinx's riddle, set, by a popular maniac, on a wall, it roused a little of that mysterious interest which still waits upon the unknown, and awakened vague expectation.

Then I prepared my petition to the House, and took grave objection to the

Bill, with an obsequious sobriety as fictitious as the patriotism of the Bill.

But I consoled myself for this unnatural restraint by preparing a little Parliamentary Bill of my own, papered and printed and indorsed in exact imitation of the other Bill, only worded on the reverse principle of calling things by their right names. The Bill was entitled, "Knightsbridge Spoliation Act," and described as follows:

#### A BILL.

For other purposes, under pretext of a new private carriage drive into the Park, to be called a public road.

#### THE PREAMBLE.

Whereas the sites of certain houses and gardens, called Albert Terrace, Knightsbridge, are known to be of great value to building speculators, and attempts to appropriate them have been made from time to time, but have failed for want of the proper varnish; and whereas the owners of the said sites are merchants, physicians, authors, and commoners, and to transfer their property by force to a speculating lord and his builders would be a great advantage to the said speculators, and also of great local advantage—to an estate in Yorkshire.

And whereas the tradespeople who conceived this Bill are builders, architects, and agents, and their names might lack luster, and even rouse suspicion, a nobleman, hereinafter described as the "Patriot Peer," will represent the shop, and is willing to relieve the rightful owners of the sites aforementioned, by compulsory purchase, and to build flats one hundred feet high, and let them to flats, at £50 a room, and gain £200,000 clear profit, provided he may construct a new drive into the Park at the cost to himself of £80, or thereabouts, and bear ever after the style and title of "the Patriot Peer."

And since great men no longer despoil their neighbors in the name of God, as in the days of King Ahab and Mr. Cromwell, but in the name of the public, it is expedient to dedicate this new carriage drive to the public; the said drive not to traverse the Park, and no cab, cart, or other vehicle such as the public uses, will be allowed to travel on it.

The new drive and the footpaths together shall be only forty-four feet wide, but whether the foot-paths shall be ten feet,

twenty, or thirty, is to be left to the discretion of the private Lawgiver.

As this carriage drive of unlimited narrowness is to be used only by the narrowest class in the kingdom, it shall be dedicated to all classes, and this phraseology shall be often repeated, since reiteration passes with many for truth. The drive, during construction, to be called "Patriot's Road," and when finished, "Oligarch Alley," or "Plutocrat Lane."

And so on, with perfect justice, but a bitterness not worth reviving.

Then for once I deviated from my habits, and appealed in person to leading men in both Houses, who are accessible to me, though I never intrude on them.

Finding me so busy, some friends of the measure, out of good nature, advised me not to waste my valuable time, and proved to me that it was no use. Albert Terrace was an eyesore long recognized: all the tradespeople in the district, and three hundred ladies and gentlemen of distinction, dukes, earls, marquises, countesses, viscountesses, and ladies, had promised to support the Bill with their signatures to a petition.

Flunkysism is mighty in this island. I knew, I trembled, I persisted.

I sounded the nearest Tory member. He would not go into the merits, but said there was a serious objection to the Bill as it stood. It would interfere with the Queen's wall.

Unfortunately this was a detail the projectors could alter, and yet trample on such comparative trifles as the law of England and the great rights of little people.

Next I called upon a Liberal, my neighbor, Sir Henry James. I had a slight acquaintance with him, through his beating me often at whist, and always at rapartee, in a certain club. I now took a mean revenge by begging him to read my papers.

He looked aghast, and hoped they were not long.

"Not so long as your *briefs*," said I, sourly.

Then this master of fence looked away, and muttered, as if in soliloquy, "I'm *paid*

for reading *that* rubbish." He added, with a sigh, "There! leave them with me."

The very next morning he invited me to call on him, and I found him completely master of the subject and every detail.

He summed up by saying, kindly: "Really I don't wonder at your being indignant, for it is a purely private speculation, and the road is a blind. I think you can defeat it in committee, but that would cost you a good deal of money."

I asked him if it could not be stopped on the road to committee.

He said that was always difficult with private bills. "However," said he, "if the persons interested are disposed to confide the matter to me, I will see if I can do anything in so clear a case."

You may guess whether I jumped at this or not.

As a proof how these private Bills are smuggled through Parliament, it turned out that the Bill in question had already been read once, and none of us knew it, and the second reading was coming on in a few days.

Sir Henry James lost no time either. He rose in the House, and asked the member for Chelsea whether he was aware of a Bill called Knightsbridge Improvement Acts, and had the Government looked into it.

The honorable member replied that they had, and he would go so far as to say did not approve it.

"Shall you oppose it?" asked Sir Henry James; and as the other did not reply, "Because, if not, we shall." He then gave notice that before this Bill was allowed to go into committee he wished to put certain questions to the promoters, and named next Thursday.

Then I lent my humble co-operation by a letter to the *Daily Telegraph*, entitled

"PRIVATE BILLS AND PUBLIC WRONGS."

One unfair advantage of private bills is that their opponents can't get one-tenth part of the House of Commons to be there and discuss them; so this letter of mine

was intended as a whip to secure a House at that early hour, when there never is a House, but only a handful, chiefly partisans of the oppressive measure. It had an effect; there were a good many independent members present when Sir Henry James rose to question the promoters of the Knightsbridge Improvement Bill.

He was met in a way that contrasted curiously with the advice I had received, not to run my head against a stone wall, with three hundred noble signatures written on it. A member instructed by the promoters popped up and anticipated all Sir James's questions, with one prudent reply,

"THE BILL IS WITHDRAWN."

Thus fell, by the mere wind of a good lawyer's sword, that impregnable edifice of patriotic spoliation; and Anne Byford, who in this business represented the virtues of the nation, the self-denial and economy which purchase from a willing vendor, with Abraham for a precedent, Moses for a guide, and the law of England for a title, and the fortitude which retains in hard times, till value increases, and cupidity burns to reap where it never sowed, was not juggled out of her child for one-tenth part of the sum she had refused from a straightforward bidder.

So much for the past history of the "Swan" and pigstie. There is more to come, and soon. The projectors of the defeated Bill had made large purchases of land close by Albert Terrace, and this was thrown upon their hands at a heavy loss for years. But now I am happy to say they have sold it to the Earl of Rosebery for £120,000, so says report.

Even if they have, what has been will be; in fifty years' time this transaction will be called buying the best site in London for an old song.

Meantime, siege and blockade having failed, a mine is due by all the laws of war. So a new Metropolitan Company proposes this very year to run under the unfortunate Terrace, propel the trains with a patent that, like all recent patents, will often be out of order, and stop them with another patent

that will seldom be *in* order. Item, to stifle and smash the public a good deal more than they are smashed and stifled at present (which seems superfluous); the motive, public spirit, as before; the instrument, a private Bill—*Anathema sit in sæcula sæculorum*.

While the moles are at work below, Lord Rosebery will rear “a noble mansion;” by that expression every builder and every snob in London means a pile of stucco, huge and hideous.

Then flunkyism will say, “Are a peer and his palace to be shouldered by cribs?” and cupidity will demand a line of “NOBLE MANSIONS,” and no garden, in place of Albert Terrace and its pretty gardens—a *rus in urbe* a thousand times more beautiful and a hundred thousand times more rare, whatever idiots, snobs, builders, and beasts may think, than monotonous piles of stucco—and that engine of worse than Oriental despotism, the private Bill, will be ready to hand. The rest is in the womb of time.

But my pages are devoted to the past, not to the doubtful future. What I have related is the documentary, pecuniary, political and private history of the “Swan” and pigstie. Now many places have a long prosaic history, and a short romantic one. The chronic history of Waterloo field

is to be plowed and sowed, and reaped and mowed: yet once in a way these acts of husbandry were diversified with a great battle, where hosts decided the fate of empires. After that, agriculture resumed its sullen sway, and even heroes submitted, and fattened the field their valor had glorified. Second-rate horses compete every year on Egham turf, and will while the turf endures. But one day the competing horses on that sward were a king and his barons, and they contended over the Constitution, and the Cup was Magna Charta. This double history belongs to small places as well as great, to Culloden and Agincourt, and to the narrow steps leading from Berkeley Street to Curzon Street, Mayfair, down which, with head lowered to his saddle-bow, the desperate Turpin spurred his horse, with the Bow Street runners on each side; but no man ever did it before, nor will again.

Even so, amid all these prosaic pamphlets and papers, leases and releases, mortgages, conveyances, and testaments, ingoring so calmly every incident not bearing on title, there happened within the area of the “Swan” and its pigstie a romantic story, which I hope will reward my friends who have waded through my prose; for, besides some minor attractions, it is a tale of blood.

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## THE KNIGHTSBRIDGE MYSTERY.

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### CHAPTER I.

IN Charles the Second’s day the “Swan” was denounced by the dramatists as a house where unfaithful wives and mistresses met their gallants.

But in the next century, when John Clarke was the freeholder, no special imputation of that sort rested on it: it was

a country inn with large stables, horsed the Brentford coach, and entertained man and beast on journeys long or short. It had also permanent visitors, especially in summer; for it was near London, and yet a rural retreat; meadows on each side, Hyde Park at back, Knightsbridge Green in front.

Among the permanent lodgers was Mr.

Gardiner, a substantial man; and Captain Cowen, a retired officer of moderate means, had lately taken two rooms for himself and his son. Mr. Gardiner often joined the company in the public room, but the Cowens kept to themselves upstairs.

This was soon noticed and resented, in that age of few books and free converse. Some said, "Oh, we are not good enough for him!" others inquired what a half-pay captain had to give himself airs about. Candor interposed and supplied the climax: "Nay, my masters, the captain may be in hiding from duns, or from the runners; now I think on't, the York mail was robbed scarce a sennight before his worship came a-hiding here."

But the landlady's tongue ran the other way. Her weight was sixteen stone, her sentiments were her interests, and her tongue her tomakawk. "'Tis pity," said she, one day, "some folk can't keep their tongues from blackening of their betters. The captain is a civil-spoken gentleman—Lord send there were more of them in these parts!—as takes his hat off to me whenever he meets me, and pays his reckoning weekly. If he has a mind to be private, what business is that of yours, or yours? But curs must bark at their betters."

Detraction, thus roughly quelled for certain seconds, revived at intervals whenever Dame Cust's broad back was turned. It was mildly encountered one evening by Gardiner. "Nay, good sirs," said he, "you mistake the worthy captain. To have fought at Blenheim and Malplaquet, no man hath less vanity. 'Tis for his son he holds aloof. He guards the youth like a mother, and will not have him to hear our tap-room jests. He worships the boy—a sullen lout, sirs; but paternal love is blind. He told me once he had loved his wife dearly, and lost her young, and this was all he had of her. 'And,' said he, 'I'd spill blood like water for him, my own the first.' 'Then, sir,' says I, 'I fear he will give you a sore heart one day.' 'And welcome,' says my captain, and his face like iron."

Somebody remarked that no man keeps

out of company who is good company; but Mr. Gardiner parried that dogma. "When young master is abed, my neighbor does sometimes invite me to share a bottle; and a sprightlier companion I would not desire. Such stories of battles, and duels, and love intrigues!"

"Now, there's an old fox for you," said one approvingly. It reconciled him to the captain's decency to find that it was only hypocrisy.

"I like not—a man—who wears—a mask," hiccupped a hitherto silent personage, revealing his clandestine drunkenness and unsuspected wisdom at one blow.

These various theories were still fermenting in the bosom of the "Swan," when one day there rode up to the door a gorgeous officer, hot from the minister's levée, in scarlet and gold, with an order like a starfish glittering on his breast. His servant, a private soldier, rode behind him, and, slipping hastily from his saddle, held his master's horse while he dismounted. Just then Captain Cowen came out for his afternoon walk. He started, and cried out, "Colonel Barrington!"

"Ay, brother," cried the other, and instantly the two officers embraced, and even kissed each other, for that feminine custom had not yet retired across the Channel; and these were soldiers who had fought and bled side by side, and nursed each other in turn; and your true soldier does not nurse by halves; his vigilance and tenderness are an example to women, and he rustleth not.

Captain Cowen invited Colonel Barrington to his room, and that warrior marched down the passage after him, single file, with long brass spurs and saber clinking at his heels; and the establishment ducked and smiled, and respected Captain Cowen for the reason we admire the moon.

Seated in Cowen's room, the newcomer said, heartily, "Well, Ned, I come not empty-handed. Here is thy pension at last," and handed him a parchment with a seal like a poached egg.

Cowen changed color, and thanked him with an emotion he rarely betrayed, and gazed over the precious document. His



cast-iron features relaxed, and he said, "It comes in the nick of time, for now I can send my dear Jack to college."

This led somehow to an exposure of his affairs. "He had just one hundred and ten pounds a year, derived from the sale of his commission, which he had invested, at fifteen per cent, with a well-known mercantile house in the City. "So now," said he, "I shall divide it all in three; Jack will want two parts to live at Oxford, and I can do well enough here on one." The rest of the conversation does not matter, so I dismiss it and Colonel Barrington for the time. A few days afterward Jack went to college, and Captain Cowen reduced his expenses, and dined at the shilling ordinary, and indeed took all his moderate repasts in public.

Instead of the severe and reserved character he had worn while his son was with him, he now shone out a boon companion, and sometimes kept the table in a roar with his marvelous mimicries of all the characters, male or female, that lived in the inn or frequented it, and sometimes held them breathless with adventures, dangers, intrigues, in which a leading part had been played by himself or his friends.

He became quite a popular character, except with one or two envious bodies, whom he eclipsed; they revenged themselves by saying it was all braggadocio; his battles had been fought over a bottle, and by the fireside.

The district east and west of Knightsbridge had long been infested with footpads; they robbed passengers in the country lanes, which then abounded, and sometimes on the king's highway, from which those lanes offered an easy escape.

One moonlight night Captain Cowen was returning home alone from an entertainment at Fulham, when suddenly the air seemed to fill with a woman's screams and cries. They issued from a lane on his right hand. He whipped out his sword and dashed down the lane. It took a sudden turn, and in a moment he came upon three footpads robbing and maltreating an old gentleman and his wife. The old man's

sword lay at a distance, struck from his feeble hand; the woman's tongue proved the better weapon, for at least it brought an ally.

The nearest robber, seeing the captain come at him with his drawn sword glittering in the moonshine, fired hastily and grazed his cheek, and was skewered like a frog the next moment; his cry of agony mingled with two shouts of dismay, and the other footpads fled; but, even as they turned, Captain Cowen's nimble blade entered the shoulder of one and pierced the fleshy part. He escaped, however, but howling and bleeding.

Captain Cowen handed over the lady and gentleman to the people who flocked to the place, now the work was done, and the disabled robber to the guardians of the public peace, who arrived last of all. He himself withdrew apart and wiped his sword very carefully and minutely with a white pocket handkerchief, and then retired.

He was so far from parading his exploit that he went round by the Park and let himself into the "Swan" with his private key, and was going quietly to bed, when the chambermaid met him, and up flew her arms with cries of dismay. "Oh, captain! captain! Look at you—smothered in blood! I shall faint."

"Tush! Silly wench!" said Captain Cowen. "I am not hurt."

"Not hurt, sir? And bleeding like a pig! Your cheek—your poor cheek!"

Captain Cowen put up his hand, and found that blood was really welling from his cheek and ear.

He looked grave for a moment, then assured her it was but a scratch, and offered to convince her of that. "Bring me some lukewarm water, and thou shalt be my doctor. But, Barbara, prithee publish it not."

Next morning an officer of justice inquired after him at the "Swan," and demanded his attendance at Bow Street, at two that afternoon, to give evidence against the foot-pads. This was the very thing he wished to avoid; but there was no evading the summons.

The officer was invited into the bar by the landlady, and sang the gallant captain's exploit with his own variations. The inn began to ring with Cowen's praises. Indeed there was now but one detractor left—the hostler, Daniel Cox, a drunken fellow of sinister aspect, who had for some time stared and lowered at Captain Cowen, and muttered mysterious things, doubts as to his being a real captain, etc., etc. Which incoherent murmurs of a muddle-headed drunkard were not treated as oracular by any human creature, though the stable-boy once went so far as to say, "I sometimes almost thinks as how our Dan do know summut; only he don't rightly know what 'tis along o' being always muddled in liquor."

Cowen, who seemed to notice little, but noticed everything, had observed the lowering looks of this fellow, and felt he had an enemy; it even made him a little uneasy, though he was too proud and self-possessed to show it.

With this exception, then, everybody greeted him with hearty compliments, and he was cheered out of the inn, marching to Bow Street.

Daniel Cox, who—as accidents will happen—was sober that morning, saw him out, and then put on his own coat. "Take thou charge of the stable, Sam," said he.

"Why, where be'st going at this time o' day?"

"I be going to Bow Street," said Daniel, doggedly.

At Bow Street Captain Cowen was received with great respect, and a seat given him by the sitting magistrate while some minor cases were disposed of.

In due course the highway robbery was called and proved by the parties who, unluckily for the accused, had been actually robbed before Cowen interfered.

Then the oath was tendered to Cowen: he stood up by the magistrate's side and deposed, with military brevity and exactness, to the facts I have related, but refused to swear to the identity of the individual culprit, who stood pale and trembling at the dock.

The attorney for the Crown, after pressing in vain, said, "Quite right, Captain Cowen; a witness cannot be too scrupulous."

He then called an officer who had found the robber leaning against a railing fainting from loss of blood scarce a furlong from the scene of the robbery and wounded in the shoulder. That let in Captain Cowen's evidence, and the culprit was committed for trial, and soon after peached upon his only comrade at large. The other lay in the hospital at Newgate.

The magistrate complimented Captain Cowen on his conduct and his evidence, and he went away universally admired.

Yet he was not elated, nor indeed content. Sitting by the magistrate's side, after he had given his evidence, he happened to look all round the court, and in a distant corner he saw the enormous mottled nose and sinister eyes of Daniel Cox glaring at him with a strange but puzzled expression.

Cowen had learned to read faces and he said to himself, "What is there in that ruffian's mind about me? Did he know me years ago? I cannot remember him. Curse the beast—one would almost—think—he is cudgeling his drunken memory. I'll keep an eye on *you*."

He went home thoughtful and discomposed, because this drunkard glowered at him so. The reception he met with at the "Swan" effaced the impression. He was received with acclamations, and now that publicity was forced on him, he accepted it, and reveled in popularity.

About this time he received a letter from his son, inclosing a notice from the college tutor, speaking highly of his ability, good conduct, devotion to study.

This made the father swell with loving pride.

Jack hinted modestly that there were unavoidable expenses, and his funds were dwindling. He inclosed an account that showed how the money went.

The father wrote back and bade him be easy; he should have every farthing required, and speedily, "For," said he, "my half-year's interest is due now."

Two days after he had a letter from his man of business begging him to call. He went with alacrity, making sure his money was waiting for him as usual.

His lawyer received him very gravely, and begged him to be seated. He then broke to him some appalling news. The great house of Brown, Molyneux & Co. had suspended payments at noon the day before, and were not expected to pay a shilling in the pound. Captain Cowen's little fortune was gone, all but his pension of £80 a year.

He sat like a man turned to stone. Then he clasped his hands with agony, and uttered two words, no more—"My son!"

He rose and left the place like one in a dream. He got down to Knightsbridge, he hardly knew how. At the very door of the inn he fell down in a fit. The people of the inn were round him in a moment, and restoratives freely supplied. His sturdy nature soon revived, but, with the moral and physical shock, his lips were slightly distorted over his clinched teeth. His face, too, was ashy pale.

When he came to himself the first face he noticed was that of Daniel Cox, eying him, not with pity, but with puzzled curiosity. Cowen shuddered and closed his own eyes to avoid this blighting glare. Then, without opening them, he muttered, "What has befallen me? I feel no wound."

"Laws forbid, sir," said the landlady, leaning over him. "Your honor did but swoon for once, to show you was born of a woman, and not made of naught but steel. Here, you gaping loons and sluts, help the captain to his room amongst ye, and then go about your business."

This order was promptly executed, so far as assisting Captain Cowen to rise; but he was no sooner on his feet than he waved them all from him haughtily, and said, "Let me be. It is the mind; it is the mind;" and he smote his forehead in despair, for now it all came back on him.

Then he rushed into the inn and locked himself into his room. Female curiosity buzzed about the doors, but was not ad-

mitted until he had recovered his fortitude and formed a bitter resolution to defend himself and his son against all mankind.

At last there came a timid tap, and a mellow voice said, "It is only me, captain. Prithee let me in."

He opened to her, and there was Barbara with a large tray and a snow-white cloth. She spread a table deftly, and uncovered a roast capon, and uncorked a bottle of white port, talking all the time. "The mistress says you must eat a bit and drink this good wine for her sake. Indeed, sir, 'twill do you good after your swoon." With many such encouraging words she got him to sit down and eat, and then filled his glass and put it to his lips. He could not eat much, but he drank the white port—a wine much prized, and purer than the purple vintage of our day.

At last came Barbara's post-dict. "But alack! to think of your fainting dead away! Oh, captain, what is the trouble?"

The tear was in Barbara's eye, though she was the emissary of Dame Cust's curiosity, and all curiosity herself.

Captain Cowen, who had been expecting this question for some time, replied, doggedly, "I have lost the best friend I had in the world."

"Dear heart!" said Barbara, and a big tear of sympathy, that had been gathering ever since she entered the room, rolled down her cheeks.

She put up a corner of her apron to her eyes. "Alas, poor soul!" said she. "Ay, I do know how hard it is to love and lose; but bethink you, sir, 'tis the lot of man. Our own turn must come. And you have your son left to thank God for, and a warm friend or two in this place, thof they be but humble."

"Ay, good wench," said the soldier, his iron nature touched for a moment by her goodness and simplicity, "and none I value more than thee. But leave me awhile."

The young woman's honest cheeks reddened at the praise of such a man. "Your will's my pleasure, sir," said she, and retired, leaving the capon and the wine.

Any little compunction he might have at refusing his confidence to this humble

friend did not trouble him long. He looked on women as leaky vessels; and he had firmly resolved not to make his situation worse by telling the base world that he was poor. Many a hard rub had put a fine point on this man of steel.

He glozed the matter, too, in his own mind. "I told her no lie. I *have* lost my best friend, for I've lost my money."

From that day Captain Cowen visited the tap-room no more, and, indeed, seldom went out by daylight. He was all alone now, for Mr. Gardiner was gone to Wiltshire to collect his rents. In his solitary chamber Cowen ruminated his loss and the villainy of mankind, and his busy brain resolved scheme after scheme to repair the impending ruin of his son's prospects. It was there the iron entered his soul. The example of the very foot-pads he had baffled occurred to him in his more desperate moments, but he fought the temptation down; and in due course one of them was transported, and one hanged; the other languished in Newgate.

By-and-by he began to be mysteriously busy, and the door always locked. No clew was ever found to his labors but bits of melted wax in the fender and a tuft or two of gray hair, and it was never discovered in Knightsbridge that he often begged in the city at dusk, in a disguise so perfect that a frequenter of the "Swan" once gave him a groat. Thus did he levy his tax upon the stony place that had undone him.

Instead of taking his afternoon walk as heretofore, he would sit disconsolate on the seat of a staircase window that looked into the yard, and so take the air and sun; and it was owing to this new habit he overheard, one day, a dialogue, in which the foggy voice of the hostler predominated at first. He was running down Captain Cowen to a pot-boy. The pot-boy stood up for him. That annoyed Cox. He spoke louder and louder the more he was opposed, till at last he bawled out: "I tell ye I've seen him a-sitting by the judge, and I've seen him in the dock."

At these words Captain Cowen recoiled,

though he was already out of sight, and his eye glittered like a basilisk's.

But immediately a new voice broke upon the scene, a woman's. "Thou foul-mouthed knave. Is it for thee to slander men of worship, and give the inn a bad name? Remember, I have but to lift my finger to hang thee, so drive me not to't. Begone to thy horses this moment; thou art not fit to be among Christians. Begone, I say, or it shall be the worse for thee;" and she drove him across the yard, and followed him up with a current of invectives eloquent even at a distance, though the words were no longer distinct: and who should this be but the house-maid, Barbara Lamb, so gentle, mellow, and melodious before the gentlefolk, and especially her hero, Captain Cowen!

As for Daniel Cox, he cowered, writhed, and wriggled away before her, and slipped into the stable.

Captain Cowen was now soured by trouble, and this persistent enmity of that fellow roused at last a fixed and deadly hatred in his mind, all the more intense that fear mingled with it.

He sounded Barbara; asked her what nonsense that ruffian had been talking, and what he had done that she could hang him for. But Barbara would not say a malicious word against a fellow-servant in cold blood. "I can keep a secret," said she. "If he keeps his tongue off you, I'll keep mine."

"So be it," said Cowen. "Then I warn you I am sick of his insolence; and drunkards must be taught not to make enemies of sober men nor fools of wise men." He said this so bitterly that, to soothe him, she begged him not to trouble about the ravings of a sot. "Dear heart," said she, "nobody heeds Dan Cox."

Some days afterward she told him that Dan had been drinking harder than ever, and wouldn't trouble honest folk long, for he had the delusions that go before a drunkard's end: why, he had told the stable-boy he had seen a vision of himself climb over the garden wall, and enter the house by the back door. "The poor wretch says he knew himself by his *bottle nose* and his cowskin



THEY TOOK OFF THE HANDBERKIEF. HE HAD BEEN DEAD SOME TIME.

—The Knightbridge Mystery.



waistcoat, and, to be sure, there is no such nose in the parish—thank Heaven for't!—and not many such waistcoats." She laughed heartily, but Cowen's lip curled in a venomous sneer. He said: "More likely 'twas the knave himself. Look to your spoons, if such a face as that walks by night." Barbara turned grave directly. He eyed her askant, and saw the random shot had gone home.

Captain Cowen now often slept in the City, alleging business.

Mr. Gardiner wrote from Salisbury, ordering his room to be ready and his sheets well aired.

One afternoon he returned with a bag and a small valise, prodigiously heavy. He had a fire lighted, though it was a fine autumn, for he was chilled with his journey, and invited Captain Cowen to sup with him. The latter consented, but begged it might be an early supper, as he must sleep in the City.

"I am sorry for that," said Gardiner. "I have a hundred and eighty guineas in that bag, and a man could get into my room from yours."

"Not if you lock the middle door," said Cowen. "But I can leave you the key of my outer door, for that matter."

This offer was accepted; but still Mr. Gardiner felt uneasy. There had been several robberies at inns, and it was a rainy, gusty night. He was depressed and ill at ease. Then Captain Cowen offered him his pistols, and helped him load them, two bullets in each. He also went and fetched him a bottle of the best port, and after drinking one glass with him, hurried away, and left his key with him for further security.

Mr. Gardiner, left to himself, made up a great fire and drank a glass or two of the wine; it seemed remarkably heady, and raised his spirits. After all, it was only for one night: to-morrow he would deposit his gold in the bank. He began to unpack his things, and put his night-dress to the fire. But by-and-by he felt so drowsy that he did but take his coat off, put his pistols under the pillow, and lay down on the bed, and fell fast asleep.

That night Barbara Lamb awoke twice, thinking each time she heard doors open and shut on the floor below her.

But it was a gusty night, and she concluded it was most likely the wind. Still a residue of uneasiness made her rise at five instead of six, and she lighted her tinder, and came down with a rush-light. She found Captain Cowen's door wide open. It had been locked when she went to bed. That alarmed her greatly. She looked in. A glance was enough. She cried, "Thieves! thieves!" and in a moment uttered scream upon scream.

In an incredibly short time pale and eager faces of men and women filled the passage.

Cowen's room, being open, was entered first. On the floor lay, what Barbara had seen at a glance, his portmanteau, rifled, and the clothes scattered about. The door of communication was ajar; they opened it, and an appalling sight met their eyes: Mr. Gardiner was lying in a pool of blood, and moaning feebly. There was little hope of saving him. No human body could long survive such a loss of the vital fluid. But it so happened there was a country surgeon in the house; he stanchd the wounds—there were three—and somebody or other had the sense to beg the victim to make a statement. He was unable at first; but, under powerful stimulants, revived at last, and showed a strong wish to aid justice in avenging him. By this time they had got a magistrate to attend, and he put his ear to the dying man's lips; but others heard, so hushed was the room and so keen the awe and curiosity of each panting heart.

"I had gold in my portmanteau, and was afraid. I drank a bottle of wine with Captain Cowen, and he left me. He lent me his key and his pistols. I locked both doors. I felt very sleepy, and lay down. When I woke, a man was leaning over my portmanteau. His back was toward me. I took a pistol, and aimed steadily. It missed fire. The man turned and sprang on me. I had caught up a knife—one we had for supper. I stabbed him with all my force. He wrested it

from me, and I felt piercing blows. I am slain. Ay, I am slain."

"But the man, sir. Did you not see his face at all?"

"Not till he fell on me. But then very plainly. The moon shone."

"Pray describe him."

"Broken hat."

"Yes."

"Hairy waistcoat."

"Yes."

"Enormous nose."

"Do you know him?"

"Ay—the hostler, Cox."

There was a groan of horror and a cry for vengeance.

"Silence," said the magistrate. "Mr. Gardiner, you are a dying man. Words may kill. Be careful. Have you any doubts?"

"About what?"

"That the villain was Daniel Cox."

"None whatever."

At these words the men and women, who were glaring with pale faces and all their senses strained at the dying man and his faint, yet terrible, denunciation, broke into two bands; some remained rooted to the place, the rest hurried, with cries of vengeance, in search of Daniel Cox. They were met in the yard by two constables, and rushed first to the stables, not that they hoped to find him there. Of course he had absconded with his booty.

The stable door was ajar. They tore it open.

The gray dawn revealed Cox fast asleep on the straw in the first empty stall, and his bottle in the manger. His clothes were bloody, and the man was drunk. They pulled him, cursed him, struck him, and would have torn him in pieces, but the constables interfered, set him up against the rail, like timber, and searched his bosom, and found—a wound; then turned all his pockets inside out, amid great expectation, and found—three half-pence and the key of the stable door.

## CHAPTER II.

THEY ransacked the straw and all the premises, and found—nothing.

Then, to make him sober and get something out of him, they pumped upon his head till he was very nearly choked. However, it told on him. He gasped for breath awhile, and rolled his eyes, and then coolly asked them had they found the villain.

They shook their fists at him. "Ay, we have found the villain, red-handed."

"I mean him as prowls about these parts in my waistcoat, and drove his knife into me last night—wonder a didn't kill me out of hand. Have ye found *him* amongst ye?"

This question met with a volley of jeers and execrations, and the constables pinioned him, and bundled him off in a cart to Bow Street, to wait examination.

Meantime, two Bow Street runners came down with a warrant, and made a careful examination of the premises. The two keys were on the table. Mr. Gardiner's outer door was locked. There was no money either in his portmanteau or Captain Cowen's. Both pistols were found loaded, but no priming in the pan of the one that lay on the bed; the other was primed, but the bullets were above the powder.

Bradbury, one of the runners, took particular notice of all.

Outside, blood was traced from the stable to the garden wall, and under this wall, in the grass, a bloody knife was found belonging to the "Swan Inn." There was one knife less in Mr. Gardiner's room than had been carried up to his supper.

Mr. Gardiner lingered till noon, but never spoke again.

The news spread swiftly, and Captain Cowen came home in the afternoon, very pale and shocked.

He had heard of a robbery and murder at the "Swan," and came to know more. The landlady told him all that had transpired, and that the villain Cox was in prison.

Cowen listened thoughtfully, and said, "Cox! No doubt he is a knave; but mur-



der!—I should never have suspected him of that."

The landlady pooh-poohed his doubts. "Why, sir, the poor gentleman knew him, and wounded him in self-defense, and the rogue was found a-bleeding from that very wound, and my knife, as done the murder, not a stone's throw from him as done it, which it was that Dan Cox, and he'll swing for't, please God." Then changing her tone, she said, solemnly, "You'll come and see him, sir?"

"Yes," said Cowen, resolutely, with scarce a moment's hesitation.

The landlady led the way, and took the keys out of her pocket and opened Cowen's door. "We keep all locked," said she, half apologetically; "the magistrate bade us; and everything as we found it—God help us! There—look at your portmanteau. I wish you may not have been robbed as well."

"No matter," said he.

"But it matters to *me*," said she, "for the credit of the house." Then she gave him the key of the inner door and waved her hand toward it, and sat down and began to cry.

Cowen went in and saw the appalling sight. He returned quickly, looking like a ghost, and muttered, "This is a terrible business."

"It is a bad business for me and all," said she. "He have robbed you, too, I'll go bail."

Captain Cowen examined his trunk carefully. "Nothing to speak of," said he. "I've lost eight guineas and my gold watch."

"There! there! there!" cried the landlady.

"What does that matter, dame? *He* has lost his life."

"Ay, poor soul. But 'twon't bring him back, you being robbed and all. Was ever such an unfortunate woman? Murder and robbery in *my* house! Travelers will shun it like a pest-house. And the new landlord he only wanted a good excuse to take it down altogether."

This was followed by more sobbing and crying. Cowen took her downstairs into

the bar and comforted her. They had a glass of spirits together, and he encouraged the flow of her egotism, till at last she fully persuaded herself it was *her* calamity that one man was robbed and another murdered in *her* house.

Cowen, always a favorite, quite won her heart by falling into this view of the matter, and when he told her he must go back to the City again, for he had important business, and besides had no money left, either in his pockets or his rifled valise, she encouraged him to go, and said, kindly, indeed it was no place for him now; it was very good of him to come back at all: but both apartments should be scoured and made decent in a very few days, and a new carpet down in Mr. Gardiner's room.

So Cowen went back to the City and left this notable woman to mop up *her* murder.

At Bow Street next morning, in answer to the evidence of his guilt, Cox told a tale which the magistrate said was even more ridiculous than most of the stories uneducated criminals got up on such occasions; with this single comment he committed Cox for trial.

Everybody was of the magistrate's opinion, except a single Bow Street runner, the same who had already examined the premises. This man suspected Cox, but had one qualm of doubt, founded on the place where he had discovered the knife, and the circumstance of the blood being traced from that place to the stable, and not from the inn to the stable, and on a remark Cox had made to him in the cart. "I don't belong to the house. I haan't got no keys to go in and out o' nights. And if I took a hatful of gold I'd be off with it into another country—wouldn't *you*?" Him as took the gentleman's money, he kewed where 'twas, and he have got it: I didn't, and I haan't."

Bradbury came down to the "Swan," and asked the landlady a question or two; she gave him short answers. He then told her that he wished to examine the wine that had come down from Mr. Gardiner's room.

The landlady looked hiz in the face,

and said it had been drunk by the servants, or thrown away long ago.

"I have my doubts o' that," said he.

"And welcome," said she.

Then he wished to examine the key-holes. "No," said she. "There has been prying enough into my house."

Said he, angrily, "You are obstructing justice. It is very suspicious."

"It is you that is suspicious, and a mischief-maker into the bargain," said she. "How do I know what you might put into my wine and my key-holes, and say you found it? You are well known, you Bow Street runners, for your hanky-panky tricks. Have *you* got a search-warrant to throw more discredit upon my house? No? Then pack, and learn the law before you teach it me."

Bradbury retired, bitterly indignant, and his indignation strengthened his faint doubt of Cox's guilt.

He set a friend to watch the "Swan," and he himself gave his mind to the whole case, and visited Cox in Newgate three times before his trial.

The next novelty was that legal assistance was provided for Cox by a person who expressed compassion for his poverty and inability to defend himself, guilty or not guilty; and that benevolent person was—Captain Cowen.

In due course Daniel Cox was arraigned at the bar of the Old Bailey for robbery and murder.

The deposition of the murdered man was put in by the Crown, and the witnesses sworn who heard it, and Captain Cowen was called to support a portion of it. He swore that he supped with the deceased, and loaded one pistol for him while Mr. Gardiner loaded the other; lent him the key of his own door for further security, and himself slept in the City.

The judge asked him where, and he said, "13 Farrington Street."

It was elicited from him that he had provided counsel for the prisoner.

His evidence was very short and to the point. It did not directly touch the accused, and the defendant's counsel, in spite of his client's eager desire, declined

to cross-examine Captain Cowen. He thought a hostile examination of so respectable a witness, who brought nothing home to the accused, would only raise more indignation against his client.

The prosecution was strengthened by the reluctant evidence of Barbara Lamb. She deposed that three years ago Cox had been detected by her stealing money from a gentleman's table in the "Swan Inn," and she gave the details.

The judge asked her whether this was at night.

"No, my lord; at about four of the clock. He is never in the house at night. The mistress can't abide him."

"Has he any key of the house?"

"Oh, dear no, my lord."

The rest of the evidence for the Crown is virtually before the reader.

For the defense it was proved that the man was found drunk, with no money nor keys upon him, and that the knife was found under the wall, and the blood was traceable from the wall to the stable. Bradbury, who proved this, tried to get in about the wine, but this was stopped as irrelevant. "There is only one person under suspicion," said the judge, rather sternly.

As counsel were not allowed in that day to make speeches to the jury, but only to examine and cross-examine, and discuss points of law, Daniel Cox had to speak on his own defense.

"My lord," said he, "it was my double done it."

"Your what?" asked my lord, a little peevishly.

"My double. There's a rogue prowls about the 'Swan' at nights, which you couldn't tell him from me. (*Laughter.*) You needn't to laugh me to the gallows. I tell ye he have got a nose like mine." (*Laughter.*)

CLERK OF ARRAIGNS. "Keep silence in the court, on pain of imprisonment."

"And he have got a waistcoat the very spit of mine, and a tumble-down hat such as I do wear. I saw him go by and let hisself into the 'Swan' with a key, and I told Sam Pott next morning."

JUDGE. "Who is Sam Pott?"

CULPRIT. "Why, my stable-boy, to be sure."

JUDGE. "Is he in court?"

CULPRIT. "I don't know. Ay, there he is."

JUDGE. "Then you'd better call him."

CULPRIT (*shouting*). "Hy, Sam!"

SAM. "Here be I." (*Loud laughter.*)

The judge explained, calmly, that to call a witness meant to put him in the box and swear him, and that although it was irregular, yet he should allow Pott to be sworn, if it would do the prisoner any good.

Prisoner's counsel said he had no wish to swear Mr. Pott.

"Well, Mr. Gurney," said the judge, "I don't think he can do you any harm." Meaning in so desperate a case.

Thereupon Sam Pott was sworn, and deposed that Cox had told him about this double.

"When?"

"Often and often."

"Before the murder?"

"Long afore that."

COUNSEL FOR THE CROWN. "Did you ever see this double?"

"Not I."

COUNSEL. "I thought not."

Daniel Cox went on to say that on the night of the murder he was up with a sick horse, and he saw his double let himself out of the inn the back way and then turn round and close the door softly, so he slipped out to meet him. But the double saw him and made for the garden wall. He ran up and caught him with one leg over the wall, and seized a black bag he was carrying off; the figure dropped it, and he heard a lot of money chink; that therefore he cried "Thieves!" and seized the man; but immediately received a blow, and lost his senses for a time. When he came to, the man and the bag were both gone, and he felt so sick that he staggered to the stable and drank a pint of neat brandy, and he remembered no more till they pumped on him, and told him he had robbed and murdered a gentleman inside the "Swan Inn." "What they can't tell me," said

Daniel, beginning to shout, "is how I could know who has got money and who haan't inside the 'Swan Inn.' I keeps the stables, not the inn; and where be my keys to open and shut the 'Swan?' I never had none. And where's the gentleman's money? 'Twas somebody in the inn as done it, for to have the money, and when you find the money you'll find the man."

The prosecuting counsel ridiculed this defense, and, *inter alia*, asked the jury whether they thought it was a double the witness Lamb had caught robbing in the inn three years ago.

The judge summed up very closely, giving the evidence of every witness. What follows is a mere synopsis of his charge.

He showed it was beyond doubt that Mr. Gardiner returned to the inn with money, having collected his rents in Wiltshire; and this was known in the inn, and proved by several, and might have transpired in the yard or the tap-room. The unfortunate gentleman took Captain Cowen, a respectable person, his neighbor in the inn, into his confidence, and revealed his uneasiness. Captain Cowen swore that he supped with him, but could not stay all night, most unfortunately. But he encouraged him, left him his pistols, and helped him load them.

Then his lordship read the dying man's deposition.

The person thus solemnly denounced was found in the stable, bleeding from a recent wound, which seems to connect him at once with the deed as described by the dying man.

"But here," said my lord, "the chain is no longer perfect. A knife, taken from the 'Swan,' was found under the garden wall, and the first traces of blood commenced there, and continued to the stable, and were abundant on the straw and on the person of the accused. This was proved by the constable and others. No money was found on him, and no keys that could have opened any outer doors of the 'Swan Inn.' The accused had, however, three years before been guilty of a theft from a gentleman in the inn, which negatives his pretense that he always con-

fined himself to the stables. It did not, however, appear that, on the occasion of the theft, he had unlocked any doors or possessed the means. The witness for the Crown, Barbara Lamb, was clear on that.

"The prisoner's own solution of the mystery was not very credible. He said he had a double, or a person wearing his clothes and appearance; and he had seen this person prowling about long before the murder, and had spoken of the double to one Pott. Pott deposed that Cox had spoken of this double more than once; but admitted he never saw the double with his own eyes.

"This double, says the accused, on the fatal night let himself out of the 'Swan Inn,' and escaped to the garden wall. There he (Cox) came up with this mysterious person, and a scuffle ensued, in which a bag was dropped, and gave the sound of coin, and then Cox held the man and cried 'Thieves!' but presently received a wound and fainted, and, on recovering himself, staggered to the stables and drank a pint of brandy.

"The story sounds ridiculous, and there is no direct evidence to back it. But there is a circumstance that lends some color to it. There was one blood-stained instrument, and no more, found on the premises, and that knife answers the description given by the dying man, and indeed may be taken to be the very knife missing from his room, and this knife was found under the garden wall, and there the blood commenced, and was traced to the stable.

"Here," said my lord, "to my mind, lies the defense. Look at the case on all sides, gentlemen: an undoubted murder done by hands; no suspicion resting on any known person but the prisoner, a man who had already robbed in the inn; a confident recognition by one whose deposition is legal evidence, but evidence we cannot cross-examine, and a recognition by moonlight only and in the heat of a struggle.

"If on this evidence, weakened not a little by the position of the knife and the traces of blood, and met by the prisoner's declaration which accords with that single

branch of the evidence, you have a doubt, it is your duty to give the prisoner the full benefit of that doubt, as I have endeavored to do; and if you have no doubt, why, then you have only to support the law, and protect the lives of peaceful citizens. Whoever has committed this crime, it certainly is an alarming circumstance that, in a public inn, surrounded by honest people, guarded by locked doors, and armed with pistols, a peaceful citizen can be robbed like this of his money and his life."

The jury saw a murder at an inn; an accused who had already robbed in that inn, and was denounced as his murderer by the victim. The verdict seemed to them to be Cox, or impunity. They all slept at inns. A double they had never seen; undetected accomplices they had all heard of. They waited twenty minutes, and brought in their verdict—Guilty.

The judge put on his black cap and condemned Daniel Cox to be hanged by the neck till he was dead.

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### CHAPTER III.

AFTER the trial was over, and the condemned man led back to prison to await his execution, Bradbury went straight to 13 Farringdon Street, and inquired for Captain Cowen.

"No such name here," said the good woman of the house.

"But you keep lodgers?"

"Nay, we keep but one, and he is no captain, he is a City clerk."

"Well, madam, it is not idle curiosity, I assure you; but was not the lodger before him Captain Cowen?"

"Laws, no. It was a parson. Your rakebally captains wouldn't suit the like of us. 'Twas a reverend clerk; a grave old gentleman. He wasn't very well to do, I think: his cassock was worn; but he paid his way."

"Keep late hours?"

"Not when he was in town; but he had a country cure."

"Then you have let him in after midnight?"

"Nay, I keep no such hours. I lent him a pass-key. He came in and out from the country when he chose. I would have you to know he was an old man, and a sober man, and an honest man; I'd wager my life on that. And excuse me, sir, but who be you, that do catechise me so about my lodgers?"

"I am an officer, madam."

The simple woman turned pale and clasped her hands. "An officer!" she cried. "Alack! what have I done now?"

"Why, nothing, madam," said the wily Bradbury. "An officer's business is to protect such as you, not to trouble you, for all the world. There, now, I'll tell you where the shoe pinches. This Captain Cowen has just sworn in a court of justice that he slept here on the 15th of last October."

"He never did, then. Our good parson had no acquaintances in the town. Not a soul ever visited him."

"Mother," said a young girl, peeping in. "I think he knew somebody of that very name. He did ask me once to post a letter for him, and it was to some man of worship, and the name was Cowen, yes—Cowen 'twas. I'm sure of it. By the same token, he never gave me another letter, and that made me pay the more attention."

"Jane, you are too curious," said the mother.

"And I am very much obliged to you, my little maid," said the officer, "and also to you, madam," and so took his leave.

One evening, all of a sudden, Captain Cowen ordered a prime horse at the "Swan," strapped his valise on before him and rode out of the yard post-haste; he went without drawing bridle to Clapham, and then looked round him, and, seeing no other horseman near, trotted gently round into the Borough, then

into the City, and slept at an inn in Holborn. He had bespoken a particular room beforehand, a little room he frequented. He entered it with an air of anxiety. But this soon vanished after he had examined the floor carefully. His horse was ordered at five o'clock next morning. He took a glass of strong waters at the door to fortify his stomach, but breakfasted at Uxbridge and fed his good horse. He dined at Beaconsfield, baited at Thame, and supped with his son at Oxford; next day paid all the young man's debts, and spent a week with him.

His conduct was strange; boisterously gay and sullenly despondent by turns. During the week came an unexpected visitor, General Sir Robert Barrington. This officer was going out to America to fill an important office. He had something in view for young Cowen, and came to judge quietly of his capacity. But he did not say anything at that time, for fear of exciting hopes he might possibly disappoint.

However, he was much taken with the young man. Oxford had polished him. His modest reticence, until invited to speak, recommended him to older men, especially as his answers were judicious, when invited to give his opinion. The tutors also spoke very highly of him.

"You may well love that boy," said General Barrington to the father.

"God bless you for praising him!" said the other. "Ay, I love him too well."

Soon after the general left, Cowen changed some gold for notes and took his departure for London, having first sent word of his return. He meant to start after breakfast and make one day of it; but he lingered with his son, and did not cross Magdalen Bridge till one o'clock.

This time he rode through Dorchester, Benson, and Henley, and as it grew dark resolved to sleep at Maidenhead.

Just after Hurley Bottom, at four cross-roads, three highwaymen spurred on him from right and left. "Your money or your life!"

He whipped a pistol out of his holster

and pulled at the nearest head in a moment.

The pistol missed fire. The next moment a blow from the butt-end of a horse-pistol dazed him, and he was dragged off his horse and his valise emptied in a minute.

Before they had done with him, however, there was a clatter of hoofs, and the robbers sprang to their nags and galloped away for the bare life as a troop of yeomanry rode up. The thing was so common the new-comers read the situation at a glance, and some of the best mounted gave chase; the others attended to Captain Cowen, caught his horse, strapped on his valise, and took him with them into Maidenhead, his head aching, his heart sickening and raging by turns. All his gold gone, nothing left but a few one-pound notes that he had sewed into the lining of his coat.

He reached the "Swan" next day in a state of sullen despair. "A curse is on me," he said. "*My* pistol miss fire; *my* gold gone!"

He was welcomed warmly. He stared with surprise. Barbara led the way to his old room, and opened it. He started back. "Not there," he said, with a shudder.

"Alack! captain, we kept it for you. Sure *you* are not afeared."

"No," said he, doggedly—"no hope, no fear." She stared, but said nothing.

He had hardly got into the room when, click, a key was turned in the door of communication. "A traveler there!" said he. Then, bitterly, "Things are soon forgotten in an inn."

"Not by me," said Barbara, solemnly. "But you know our dame, she can't let money go by her. 'Tis our best room, mostly, and nobody would use it that knows the place. He is a stranger. He is from the wars; will have it he is English, but talks foreign. He is civil enough when he is sober, but when he has got a drop he does maunder away, to be sure, and sing such songs I never."

"How long has he been here?" asked Cowen.

"Five days, and the mistress hopes he

will stay as many more, just to break the spell."

"He can stay or go," said Cowen. "I am in no humor for company. I have been robbed, girl."

"You robbed, sir? Not openly, I am sure."

"Openly, but by numbers—three of them. I should soon have sped one, but my pistol snapped fire just like his. There, leave me, girl; fate is against me and a curse upon me. Bubbled out of my fortune in the City, robbed of my gold upon the road. To be honest is to be a fool."

He flung himself on the bed with a groan of anguish, and the ready tears ran down soft Barbara's cheeks. She had tact, however, in her humble way, and did not prattle to a strong man in a moment of wild distress. She just turned and cast a lingering glance of pity on him, and went to fetch him food and wine. She had often seen an unhappy man the better for eating and drinking.

When she was gone, he cursed himself for his weakness in letting her know his misfortunes. They would be all over the house soon. "Why, that fellow next door must have heard me bawl them out. I have lost my head," said he, "and I never needed it more."

Barbara returned with the cold powdered beef and carrots, and a bottle of wine she had paid for herself. She found him sullen, but composed. He made her solemnly promise not to mention his losses. She consented readily, and said, "You know I can hold my tongue."

When he had eaten and drunk and felt stronger, he resolved to put a question to her. "How about that poor fellow?"

She looked puzzled a moment, then turned pale, and said, solemnly, "'Tis for this day week, I hear. 'Twas to be last week, but the king did respite him for a fortnight."

"Ah, indeed! Do you know why?"

"No, indeed. In his place, I'd rather have been put out of the way at once, for they will surely hang him."

Now in our day the respite is very rare; a criminal is hanged or reprieved. But

at the period of our story men were often respited for short or long periods, yet suffered at last. One poor wretch was respited for two years, yet executed. This respite, therefore, was nothing unusual, and Cowen, though he looked thoughtful, had no downright suspicion of anything so serious to himself as really lay beneath the surface of this not unusual occurrence.

I shall, however, let the reader know more about it. The judge in reporting the case notified the proper authority that he desired his majesty to know he was not entirely at ease about the verdict. There was a lacuna in the evidence against this prisoner. He stated the flaw in a very few words, but he did not suggest any remedy.

Now the public clamored for the man's execution, that travelers might be safe. The king's adviser thought that if the judge had serious doubts it was his business to tell the jury so. The order for execution issued.

Three days after this the judge received a letter from Bradbury, which I give verbatim:

*The King v. Cox.*

"MY LORD—Forgive my writing to you in a case of blood. There is no other way. Daniel Cox was not defended. Counsel went against his wish, and would not throw suspicion on any other. That made it Cox or nobody. But there was a man in the inn whose conduct was suspicious. He furnished the wine that made the victim sleepy—and I must tell you the landlady would not let me see the remnant of the wine; she did everything to baffle me and defeat justice—he loaded two pistols so that neither could go off. He has got a pass-key, and goes in and out of the 'Swan' at all hours. He provided counsel for Daniel Cox. That could only be through compunction.

"He swore in court that he slept that night at 13 Farringdon Street. Your lordship will find it on your notes. For 'twas you put the question, and methinks Heaven inspired you. An hour after the

trial I was at 13 Farringdon Street. No Cowen and no captain had ever lodged there nor slept there. Present lodger, a City clerk; lodger at date of murder, an old clergyman that said he had a country cure, and got the simple body to trust him with a pass-key—so he came in and out at all hours of the night. This man was no clerk, but, as I believe, the cracksman that did the job at the 'Swan.'

"My lord, there is always two in a job of this sort—the professional man and the confederate. Cowen was the confederate, hocused the wine, loaded the pistols, and lent his pass-key to the cracksman. The cracksman opened the other door with his tools, unless Cowen made him duplicate keys. Neither of them intended violence, or they would have used their own weapons. The wine was drugged expressly to make that needless. The cracksman, instead of a black mask, put on a calf-skin waistcoat and a bottle nose, and that passed muster for Cox by moonlight; it puzzled Cox by moonlight, and deceived Gardiner by moonlight.

"For the love of God get me a respite for the innocent man, and I will undertake to bring the crime home to the cracksman and to his confederate, Cowen."

Bradbury signed this with his name and quality.

The judge was not sorry to see the doubt his own wariness had raised so powerfully confirmed. He sent this missive on to the minister, with the remark that he had received a letter which ought not to have been sent to him, but to those in whose hands the prisoner's fate rested. He thought it his duty, however, to transcribe from his notes the question he had put to Captain Cowen, and his reply that he had slept at 13 Farringdon Street on the night of the murder, and also the substance of the prisoner's defense, with the remark that, as stated by that uneducated person, it had appeared ridiculous; but that, after studying this Bow Street officer's statements, and assuming them to be in the main correct, it did not appear ridiculous, but only remarkable, and

it reconciled all the undisputed facts, whereas that Cox was the murderer was and ever must remain irreconcilable with the position of the knife and the track of the blood.

Bradbury's letter and the above comment found their way to the king, and he granted what was asked—a respite.

Bradbury and his fellows went to work to find the old clergyman, *alias* cracksmán, but he had melted away without a trace, and they got no other clew. But during Cowen's absence they got a traveler, *i.e.*, a disguised agent, into the inn, who found relics of wax in the key-holes of Cowen's outer door and of the door of communication.

Bradbury sent this information in two letters; one to the judge, and one to the minister.

But this did not advance him much. He had long been sure that Cowen was in it. It was the professional hand, the actual robber and murderer he wanted.

The days succeeded one another: nothing was done. He lamented, too late, he had not applied for a reprieve, or even a pardon. He deplored his own presumption in assuming that he could unravel such a mystery entirely. His busy brain schemed night and day: he lost his sleep, and even his appetite. At last, in sheer despair, he proposed to himself a new solution, and acted upon it in the dark and with consummate subtlety; for he said to himself, "I am in deeper water than I thought. Lord, how they skim a case at the Old Bailey! They take a pond for a puddle, and go to fathom it with a forefinger."

Captain Cowen sank into a settled gloom, but he no longer courted solitude; it gave him the horrors. He preferred to be in company, though he no longer shone in it. He made acquaintance with his neighbor, and rather liked him. The man had been in the Commissariat Department, and seemed half surprised at the honor a captain did him in conversing with him. But he was well versed in all the incidents of the late wars, and Cowen was glad to go with him into the

past; for the present was dead, and the future horrible.

This Mr. Cutler, so deferential when sober, was inclined to be more familiar when in his cups, and that generally ended in his singing and talking to himself in his own room in the absurdest way. He never went out without a black leather case strapped across his back like a dispatch-box. When joked and asked as to the contents, he used to say, "Papers, papers," curtly.

One evening, being rather the worse for liquor, he dropped it, and there was a metallic sound. This was immediately commented on by the wags of the company.

"That fell heavy for paper," said one.

"And there was a ring," said another.

"Come, unload thy pack, comrade, and show us thy papers."

Cutler was sobered in a moment, and looked scared. Cowen observed this, and quietly left the room. He went upstairs to his own room, and, mounting on a chair, he found a thin place in the partition, and made an eyelet hole.

That very night he made use of this with good effect. Cutler came up to bed singing and whistling, but presently threw down something heavy, and was silent. Cowen spied, and saw him kneel down, draw from his bosom a key suspended round his neck by a ribbon, and open the dispatch-box. There were papers in it, but only to deaden the sound of a great many new guineas that glittered in the light of the candle, and seemed to fire and fill the receptacle.

Cutler looked furtively round, plunged his hands in them, took them out by handfuls, admired them, kissed them, and seemed to worship them, locked them up again, and put the black case under his pillow.

While they were glaring in the light, Cowen's eyes flashed with unholy fire. He clutched his hands at them where he stood, but they were inaccessible. He sat down despondent and cursed the injustice of fate. Bubbled out of money in the City; robbed on the road; but when another had



money it was safe; he left his keys in the locks of both doors, and his gold never quitted him.

Not long after this discovery he got a letter from his son, telling him that the college bill for battels, or commons, had come in, and he was unable to pay it; he begged his father to disburse it or he should lose credit.

This tormented the unhappy father, and the proximity of gold tantalized him, so that he bought a phial of laudanum and secreted it about his person.

"Better die," said he, "and leave my boy to Barrington. Such a legacy from his dead comrade will be sacred, and he will have the world at his feet."

He even ordered a bottle of red port, and kept it by him to swill the laudanum in, and so get drunk and die.

But when it came to the point he faltered.

Meantime the day drew near for the execution of Daniel Cox. Bradbury had undertaken too much. His cracksman seemed, to the king's advisers, as shadowy as the double of Daniel Cox.

The evening before that fatal day Cowen came to a wild resolution. He would go to Tyburn at noon, which was the hour fixed, and would die under that man's gibbet. So was this powerful mind unhinged.

This desperate idea was uppermost in his mind when he went up to his bedroom.

But he resisted. No, he would never play the coward while there was a chance left on the cards. While there is life there is hope. He seized the bottle, uncorked it, and tossed off a glass. It was potent, and tingled through his veins and warmed his heart.

He set the bottle down before him. He filled another glass. But before he put it to his lips jocund noises were heard coming up the stairs, and noisy, drunken voices, and two boon companions of his neighbor Cutler, who had a double-bedded room opposite him, parted with him for the night. He was not drunk enough, it seems, for he kept demanding t'other bottle. His friends,

however, were of a different opinion; they bundled him into his room and locked him in from the other side; and shortly after burst into their own room, and were more garrulous than articulate.

Cutler, thus disposed of, kept saying, and shouting, and whining that he must have t'other bottle. In short, any one at a distance would have thought he was announcing sixteen different propositions, so various were the accents of anger, grief, expostulation, deprecation, supplication, imprecation, and whining tenderness in which he declared he must have t'other bo'l.

At last he came bump against the door of communication. "Neighbor," said he, "your wuship, I mean great man of war."

"Well, sir?"

"Let's have t'other bo'l."

Cowen's eyes flashed. He took out his phial of laudanum, and emptied about a fifth part of it into the bottle.

Cutler whined at the door, "Do open the door, your wuship, and let's have t'other (hic)."

"Why, the key is on your side."

A feeble-minded laugh at the discovery, a fumbling with the key, and the door opened, and Cutler stood in the doorway, with his cravat disgracefully loose and his visage wreathed in foolish smiles. His eyes goggled; he pointed with a mixture of surprise and low cunning at the table: "Why, there *is* t'other bo'l; let's have'm."

"Nay," said Cowen, "I drain no bottles at this time. One glass suffices me. I drink your health." He raised his glass.

Cutler grabbed the bottle, and said, brutally, "And I'll drink yours," and shut the door with a slam, but was too intent on his prize to lock it.

Cowen sat and listened.

He heard the wine gurgle, and the drunkard draw a long breath of delight.

Then there was a pause; then a snatch of song, rather melodious, and more articulate than Mr. Cutler's recent attempts at discourse.

Then another gurgle, and another loud, "Ah!"

Then a vocal attempt, which broke down by degrees.

Then a snore.

Then a somnolent remark—"All right."

Then a staggering on to his feet.

Then a swaying to and fro, and a subsiding against the door.

Then by-and-by a little reel at the bed, and a fall flat on the floor.

Then stertorous breathing.

Cowen sat still at the key-hole some time, then took off his boots and softly mounted his chair and applied his eye to the peep-hole.

Cutler was lying on his stomach between the table and the bed.

Cowen came to the door on tiptoe and turned the handle gently; the door yielded.

He lost nerve for the first time in his life. What horrible shame, should the man come to his senses and see him! He stepped back into his own room, ripped up his portmanteau, and took out, from between the leather and the lining, a disguise and a mask. He put them on.

Then he took his loaded cane; for he thought to himself, "No more stabbing in that room," and he crept through the door like a cat.

The man lay breathing stertorously, and his lips blowing out at every exhalation like lifeless lips urged by a strong wind, so that Cowen began to fear, not that he might wake but that he might die.

It flashed across him he should have to leave England.

What he came to do seemed now wonderfully easy; he took the key by its ribbon carefully off the sleeper's neck, unlocked the dispatch-box, took off his hat, put the gold into it, locked the dispatch-box, replaced the key, took up his hatful of money, and retired slowly on tiptoe as he came.

He had but deposited his stick and the booty on the bed, when the sham drunkard pinned him from behind, and uttered a shrill whistle. With a fierce snarl Cowen whirled his captor round like a feather, and dashed with him against the post of his own door, stunning the man so that he relaxed his hold—and Cowen whirled him

round again, and kicked him in the stomach so felly that he was doubled up out of the way, and contributed nothing more to the struggle except his last meal. At this very moment two Bow Street runners rushed madly upon Cowen through the door of communication. He met one in full career with a blow so tremendous that it sounded through the house, and drove him all across the room against the window, where he fell down senseless; the other he struck rather short, and though the blood spurted and the man staggered, he was on him again in a moment, and pinned him. Cowen, a master of pugilism, got his head under his left shoulder, and pommeled him cruelly; but the fellow managed to hold on till a powerful foot kicked in the door at a blow and Bradbury himself sprang on Captain Cowen with all the fury of a tiger; he seized him by the throat from behind, and throttled him, and set his knee to his back; the other, though mauled and bleeding, whipped out a short rope and pinioned him in a turn of the hand. Then all stood panting but the disabled men, and once more the passage and the room were filled with pale faces and panting bosoms.

Lights flashed on the scene, and instantly loud screams from the landlady and her maids, and as they screamed they pointed with trembling fingers.

And well they might. There—caught red-handed in an act of robbery and violence, a few steps from the place of the mysterious murder—stood the stately figure of Captain Cowen and the mottled face and bottle nose of Daniel Cox, condemned to die in just twelve hours' time!

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#### CHAPTER IV.

"Ay, scream ye fools," roared Bradbury, "that couldn't see a church by daylight." Then, shaking his fist at Cowen: "Thou

villain! 'Tisn't one man you have murdered, 'tis two. But, please God, I'll save one of them yet, and hang you in his place. Way there! not a moment to lose."

In another minute they were all in the yard, and a hackney coach sent for.

Captain Cowen said to Bradbury, "This thing on my face is choking me."

"Oh, better than you have been choked—at Tyburn and all."

"Hang me. Don't pillory me. I've served my country."

Bradbury removed the wax mask. He said afterward he had no power to refuse the villain, he was so grand and gentle.

"Thank you, sir. Now what can I do for you? Save Daniel Cox?"

"Ay, do that and I'll forgive you."

"Give me a sheet of paper."

Bradbury, impressed by the man's tone of sincerity, took him into the bar, and, getting all his men round him, placed paper and ink before him.

He addressed to General Barrington, in attendance on his majesty, these:

"GENERAL—See his majesty betimes, tell him from me that Daniel Cox, condemned to die at noon, is innocent, and get him a reprieve. Oh, Barrington, come to your lost comrade. The bearer will tell you where I am. I cannot.

"EDWARD COWEN."

"Send a man you can trust to Windsor with that, and take me to my most welcome death."

A trusty officer was dispatched to Windsor, and in about an hour Cowen was lodged in Newgate.

All that night Bradbury labored to save the man that was condemned to die. He knocked up the sheriff of Middlesex and told him all.

"Don't come to me," said the sheriff; "go to the minister."

He rode to the minister's house. The minister was up. His wife gave a ball—windows blazing, shadows dancing—music—lights—night turned into day. Bradbury knocked. The door flew open and revealed

a line of bedizened footmen dotted at intervals up the stairs.

"I must see my lord. Life or death. I'm an officer from Bow Street."

"You can't see my lord. He is entertaining the Proosian Ambassador and his sweet."

"I must see him, or an innocent man will die to-morrow. Tell him so. Here's a guinea."

"Is there? Step aside here."

He waited in torments till the message went through the gamut of lackeys, and got more or less mutilated, to the minister.

He detached a buffer, who proposed to Mr. Bradbury to call at the Do-little office in Westminster next morning.

"No," said Bradbury, "I don't leave the house till I see him. Innocent blood shall not be spilled for want of a word in time."

The buffer retired, and in came a duffer, who said the occasion was not convenient.

"Ay, but it is," said Bradbury, "and if my lord is not here in five minutes I'll go upstairs and tell my tale before them all, and see if they are all hair-dressers' dummies, without heart, or conscience, or sense."

In five minutes in came a gentleman with an order on his breast, and said, "You are a Bow Street officer?"

"Yes, my lord."

"Name?"

"Bradbury."

"You say the man condemned to die to-morrow is innocent?"

"Yes, my lord."

"How do you know?"

"Just taken the real culprit."

"When is the other to suffer?"

"Twelve to-morrow."

"Seems short time. Humph! Will you be good enough to take a line to the sheriff? Formal message to-morrow."

The actual message ran:

"Delay execution of Cox till we hear from Windsor. Bearer will give reasons."

With this Bradbury hurried away, not to the sheriff, but the prison; and infected the jailer and the chaplain and all the turnkeys with pity for the condemned, and the spirit of delay.

Bradbury breakfasted, and washed his face, and off to the sheriff. Sheriff was gone out. Bradbury hunted him from pillar to post and could find him nowhere. He was at last obliged to go and wait for him at Newgate.

He arrived at the stroke of twelve to superintend the execution. Bradbury put the minister's note into his hand.

"This is no use," said he. "I want an order from his majesty, or the Privy Council at least."

"Not to delay," suggested the chaplain. "You have all the day for it."

"All the day! I can't be all the day hanging a single man. My time is precious, gentlemen." Then, his bark being worse than his bite, he said, "I shall come again at four o'clock, and then, if there is no news from Windsor, the law must take its course."

He never came again, though, for, even as he turned his back to retire, there was a faint cry from the farthest part of the crowd, a paper raised on a hussar's lance, and, as the mob fell back on every side, a royal aid-de-camp rode up, followed closely by the mounted runner, and delivered to the sheriff a reprieve under the sign-manual of his majesty, George the First.

At 2 P. M. of the same day, General Sir Robert Barrington reached Newgate, and saw Captain Cowen in private. That unhappy man fell on his knees and made a confession.

Barrington was horrified, and turned as cold as ice to him. He stood erect as a statue. "A soldier—to rob," said he. "Murder was bad enough—but to rob!"

Cowen, with his head and hands all hanging down, could only say, faintly, "I have been robbed and ruined, and it was for my boy. Ah me! what will become of him? I have lost my soul for him, and now he will be ruined and disgraced—by me, who would have died for him." The strong man shook with agony and his head and hands almost touched the ground.

Sir Robert Barrington looked at him and pondered.

"No," said he, relenting a little, "that

is the one thing I can do for you. I had made up my mind to take your son to Canada as my secretary, and I will take him. But he must change his name. I sail next Thursday."

The broken man stared wildly, then started up and blessed him; and from that moment the wild hope entered his breast that he might keep his son unstained by his crime, and even ignorant of it.

Barrington said that was impossible; but yielded to the father's prayers, and consented to act as if it was possible. He would send a messenger to Oxford, with money and instructions to bring the young man up and put him on board the ship at Gravesend.

This difficult scheme once conceived, there was not a moment to be lost. Barrington sent down a mounted messenger to Oxford, with money and instructions.

Cowen sent for Bradbury, and asked him when he was to appear at Bow Street.

"To-morrow, I suppose."

"Do me a favor. Get all your witnesses: make the case complete, and show me only once to the public before I am tried."

"Well, captain," said Bradbury, "you were square with me about poor Cox. I don't see as it matters much to you; but I'll not say you nay." He saw the solicitor for the crown, and asked a few days to collect all his evidence. The functionary named Friday.

This was conveyed next day to Cowen, and put him in a fever; it gave him a chance of keeping his son ignorant, but no certainty. Ships were eternally detained at Gravesend, waiting for a wind; there were no steam tugs then to draw them into blue water. Even going down the Channel letters boarded them, if the wind slacked. He walked his room to and fro, like a caged tiger, day and night.

Wednesday evening Barrington came with the news that his son was at the "Star" in Cornhill. "I have got him to bed," said he, "and, Lord forgive me, I have let him think he will see you before we go down to Gravesend to-morrow."

"Then let me see him," said the miserable father. "He shall know naught from me." They applied to the jailer, and urged that he could be a prisoner all the time, surrounded by constables in disguise. No; the jailer would not risk his place and an indictment. Bradbury was sent for, and made light of the responsibility. "I brought him here," said he, "and I will take him to the 'Star,' I and my fellows. Indeed, he will give us no trouble this time. Why, that would blow the gaff, and make the young gentleman fly to the whole thing."

"It can only be done by authority," was the jailer's reply.

"Then by authority it shall be done," said Sir Robert. "Mr. Bradbury, have three men here with a coach at one o'clock, and a regiment, if you like, to watch the 'Star.'"

Punctually at one came Barrington with an authority. It was a request from the queen. The jailer took it respectfully. It was an authority not worth a button; but he knew he could not lose his place with this writing to brandish at need.

The father and son dined with the general at the "Star." Bradbury and one of his fellows waited as private servants: other officers in plain clothes watched back and front.

At three o'clock father and son parted, the son with many tears, the father with dry eyes, but a voice that trembled as he blessed him.

Young Cowen, now Morris, went down to Gravesend with his chief; the criminal back to Newgate, respectfully bowed from the door of the "Star" by landlord and waiters.

At first he was comparatively calm, but as the night advanced became restless, and by-and-by began to pace his cell again like a caged lion.

At twenty minutes past eleven a turnkey brought him a line; a horseman had galloped in with it from Gravesend:

"A fair wind—we weigh anchor at the full tide. It is a merchant vessel, and the

captain under my orders to keep off shore and take no messages. Farewell. Turn to the God you have forgotten. He alone can pardon you."

On receiving this note, Cowen betook him to his knees.

In this attitude the jailer found him when he went his round

He waited till the captain rose, and then let him know that an able lawyer was in waiting instructed to defend him at Bow Street next morning. The truth is the females of the "Swan" had clubbed money for this purpose.

Cowen declined to see him. "I thank you, sir," said he. "I will defend myself."

He said, however, he had a little favor to ask. "I have been," said he, "of late much agitated and fatigued, and a sore trial awaits me in the morning. A few hours of unbroken sleep would be a boon to me."

"The turnkeys must come in to see you are all right."

"It is their duty; but I will lie in sight of the door if they will be good enough not to wake me."

"There can be no objection to that, captain, and I am glad to see you calmer."

"Thank you; never calmer in my life."

He got his pillow, set two chairs, and composed himself to sleep. He put the candle on the table, that the turnkeys might peep through the door and see him.

Once or twice they peeped in very softly, and saw him sleeping in the full light of the candle, to moderate which, apparently, he had thrown a white handkerchief over his face.

At nine in the morning they brought him his breakfast, as he must be at Bow Street between ten and eleven.

When they came so near him it struck them he lay too still.

They took off the handkerchief.

He had been dead some hours.

Yes, there, calm, grave, and noble, incapable, as it seemed, either of the passions that had destroyed him or the tender affection which redeemed yet inspired his

crimes, lay the corpse of Edward Cowen. Thus miserably perished a man in whom were many elements of greatness.

He left what little money he had to Bradbury, in a note imploring him to keep particulars out of the journals for his son's sake, and such was the influence on Bradbury of the scene at the "Star," the dead man's face, and his dying words, that, though public detail was his interest, nothing transpired but that the gentleman who had been arrested on suspicion of being concerned in the murder at the "Swan Inn" had committed suicide; to which was added, by another hand: "Cox, however, has the king's pardon, and the affair still remains shrouded with mystery."

Cox was permitted to see the body of Cowen, and, whether the features had gone back to youth, or his own brain, long sobered in earnest, had enlightened his memory, recognized him as a man he had seen committed for horse-stealing at Ipswich, when he himself was the mayor's groom; but some girl lent the accused a file, and he cut his way out of the cage.

Cox's calamity was his greatest blessing. He went into Newgate scarcely knowing

there was a God; he came out thoroughly enlightened in that respect by the teaching of the chaplain and the death of Cowen. He went in a drunkard; the noose that dangled over his head so long terrified him into life-long sobriety—for he laid all the blame on liquor—and he came out as bitter a foe to drink as drink had been to him.

His case excited sympathy; a considerable sum was subscribed to set him up in trade. He became a horse-dealer on a small scale; but he was really a most excellent judge of horses, and, being sober, enlarged his business; horsed a coach or two; attended fairs, and eventually made a fortune by dealing in cavalry horses under government contracts.

As his money increased, his nose diminished, and when he died, old and regretted, only a pink tinge revealed the habits of his earlier life.

Mrs. Martha Cust and Barbara Lamb were no longer sure; but they doubted to their dying day the innocence of the ugly fellow, and the guilt of the handsome, civil-spoken gentleman.

But they converted nobody to their opinion; for they gave their reasons.

## SINGLEHEART, AND DOUBLEFACE.

### *A MATTER-OF-FACT ROMANCE.*

#### CHAPTER I.

MATTHEW BRENT, a small shop-keeper in Green Street, Liverpool, was a widower with two daughters. Deborah, the elder, had plenty of tongue and mother-wit, but could not and would not study anything on earth if it had the misfortune to be written or printed. Sarah, the younger,

showed attention and application from her childhood.

Her father cultivated those powers, for they are the roots of all excellence, and he knew it. He sent the girl to school, and there she learned the usual smattering; and one thing worth it all, viz., how to teach herself. Under that abler tuition she learned to write like a clerk, to keep her

father's books, to remember the price of every article in the shop, to serve the customers when required, and to read for her own pleasure and instruction. At eighteen she was Brent's right hand all day, and his reader at night.

Deborah, who could only spell *The Mercury*, and would not do that if she could get Sally to read it out, found her level as cook, housekeeper and market-woman. At twenty she was very tall, supple and muscular; comely but freckled, reddish hair, a very white skin, only it tanned easily. It revealed its natural beauty in her throat, and above all in the nape of her neck. This nape, snowy and solid, and a long row of ivory teeth, were her beauties. She married quite young—her father's cousin, a small farmer—and settled in Berkshire, her native county.

Sarah Brent was about two inches shorter than Deborah, but a finer figure; had an oval face full of modesty and gentle dignity. Her skin was also white, and revealed itself in her shapely hands as well as her alabaster throat. Her hair brown, and so were two fearless eyes that looked at people full without staring. When she was nineteen a worthy young fellow, called Joseph Pinder, fell in love with her and courted her. He was sheepish and distant in his approaches, for he looked on her as a superior being. She never chattered, yet could always answer civilly and wisely; this, and her Madonna-like face, made Joe Pinder reverence her. Her father thought highly of him, and connived at his visits, and so they were often seen together in a friendly way; but when he began to make downright love to her, she told him calmly she could go no farther than friendship; "and indeed," said she, "I would never leave my father for any young man."

Joseph Pinder knew that this declaration has often preceded connubial rites, and continued his friendly assiduities; and these two often came back from church together, he glowing with delight at being near her, and she cool and friendly.

The Brents were in a small way of business, and Sarah's adorer was a decorative

painter, and what is called in trade a "writer"—one of those astounding artists who, by skillful shading, make gilt letters appear concave or convex, or stand out bodily from a board or wall, and blazon a shop-keepers' name and business. On one occasion he had a large job of this sort to do in Manchester. It took him a fortnight, and led to another at Preston. In a month he came back with money in both pockets, and full of joy at the prospect of meeting Sarah again.

He found the Brents at supper, and there was a young man with them who had a deal to say, and made the old man smile, while the young woman often looked furtively at him with undisguised complacency. This was a second cousin of Mr. Brent's, one James Mansell, a painter and grainer, who had settled in the town while Pinder was away.

Pinder's heart sank at this, and instead of exerting himself in vigorous competition, he became more silent and more depressed the more James Mansell rattled away; in short, he was no company at all, because the other was good company.

After a while he said "Good-night."

A coquette would have followed him to the door and smoothed matters; but that was not Sarah Brent's line; she said "Good-night" kindly enough, but she never moved, and James Mansell's tongue resumed its headlong course.

This was the first of many such scenes. Sarah was always kind, but cool, to her old admirer, and manifestly attracted by the new one. Indeed, it came to this at last that Pinder could never get a walk with her alone except from church.

On one occasion he ventured on a mild remonstrance: "If you had not told me you would never leave your father, I should be almost afraid *that* James Mansell would entice you away from us all."

"From everybody else—but not from father."

One would think that was plain enough, but Joe could not realize it; and he went on to ask her if she could really find it in her heart to throw such an old friend as him over for a stranger.

She replied, calmly, "Am I changed to you any way? I always respected you, and I respect you still."

"That is a comfort, Sarah. But if this goes on, I'm afraid you will like another man far better than me, whether you respect me or not."

"That is my business," said she, firmly.

"Isn't it mine, too, Sarah? We have kept company this two years."

"As friends; but nothing more. I have never misled you, and now if you are wise you will take up with some other girl. You can find as good as me."

"Not in this world."

"Nonsense, Joe; and besides—"

"Well, what?"

"I am one that forecasts a little, and I am afraid you will tease me, and pain yourself, and some day we shall part bad friends, and that would be a pity, after all."

"Nothing but death shall part us."

"Yes, this door will. Father is not well to-night." The door in question was the side door of her own house.

Pinder took the hint and bade her "Good-night" affectionately.

He walked a little way out into the country by himself, wondering now whether she would ever be his. He was dejected, but not in despair. In his class of life men and women have often two or three warmish courtships before they marry. Sarah was not of that sort, but this James Mansell would be as likely as not to leave the town, and think no more of Sarah Brent. In his trade it was here to-day and there to-morrow, and he did not look like the man to cling to the absent. Pinder returned homeward by Green Street to have a last look at the shell which held his pearl.

As he passed by on the other side of the way James Mansell came and knocked at Mr. Brent's side door. Pinder waited with a certain degree of jealous malice to see him excluded. Sarah came to the door and parleyed; probably she told him her father was unwell. Pinder went on a little way, and then turned to see.

The colloquy continued. It seemed interminable. The woman he loved was in

no hurry now to get back to her sick father, and when she did, what was the result? Mansell was invited in, after all, and the door of heaven closed upon him instead of in his face.

The watcher stood there transfixed with the poisoned arrow of jealousy. He was sick and furious by turns, and at last got frightened at himself, and resolved to keep out of the way of this James Mansell, with whom he had no chance, Sarah's preference was now so clear.

But he was too much in love to forego the walks from church; and Sarah never objected to his company, nor, indeed, to his coming in to supper afterward. But he was sure to find his rival there, and be reduced to a sullen cipher.

So things went on. He did not see what passed between Mansell and Sarah Brent, the open wooing of the man, the timid tumult in the woman, expanding, ripening, blushing, thrilling, and blooming in the new sunshine. But he discovered a good deal; she seemed gliding gradually away from him down a gentle but inexorable slope. She was as friendly in her cool way as ever, but scarcely attended to him. Her mind seemed elsewhere at times, even in that short walk from church, sole relic now of their languid but unbroken friendship.

The time came when even this privilege was disputed. One Sunday James Mansell arrived in Green Street earlier than usual. He heard where Sarah was, so he came to meet her. She was walking with Pinder. Mansell had been drinking a little, and did not know, perhaps, how little cause he had for jealousy. He stepped rudely in between Pinder and Miss Brent, and took her arm, whereas Pinder had been walking merely by her side.

"What sort of manners are these?" said Pinder.

"They are my manners," said the other haughtily. "She has no business to walk with you at all."

"Don't insult *her*, at all events. She has walked with me this two year."

"Well, then, now you can go and walk with some other girl."



"Not at your bidding, you brute."

"Oh, you want a hiding, do you?"

"No; it is you that want that."

James Mansell replied by a blow, which took Pinder unawares, and sent him staggering.

He would have followed it up, but Pinder stopped the second neatly, and gave him a smart one in return, crying, "Coward! to take a man unawares." Sarah was terrified, and clasped her hands. "Oh, pray do not quarrel about me!"

"Stand aloof," said Mansell imperiously. "This must end." Sarah obeyed the man, who was evidently her master, but implored him not to hurt Joe Pinder—he was only a friend. The truth is Mansell had recounted such deeds of prowess that, what with his gasconades and her blind love, she thought no man could have a chance with him.

He sparred well, and hit Pinder several times, but rather short.

Both were soon infuriated, and they were all over the street, fighting and raging.

Under similar circumstances Virgil's heifer browsed the grass in undisturbed tranquillity, content to know that her mate would be the best bull of the two.

Not so Sarah Brent. She clasped her hands and screamed, and implored her hero to be merciful. Her conscience whispered that her inoffensive friend was being hardly used in every way.

Presently her hero, after administering several blows, and making his adversary bleed, received a left-handed stinger that made him recoil. Maddened by this, he rushed at Pinder to annihilate him. But Pinder was no novice either; he drew back on the point of his toe, and met James Mansell's rush with a tremendous slogger that sounded like a falling plank, and shot him to the earth at Sarah Brent's very feet, a distance of some yards.

All was changed in a moment; she literally bounded over the prostrate form and stood between him and danger; for in Liverpool they fight up and down, as the saying is. "You wretch," she cried, "to kill the man I love!" It was Pinder's turn to stagger before that white cheek, and those fiery eyes, and that fatal word.

"Man you love?" said he.

"I love! I love! I love!" cried she, stabbing with swift feminine instinct the monster who had struck her love.

Then Pinder fell back, subdued, with a sigh of despair; she flung herself down, and raised James Mansell's head and sobbed hysterically over it.

Some people now came up; but Pinder in those few seconds had undergone a change. He stepped forward, thrust the people away, and kneeling down, lifted James Mansell up and took him under his arm. "Leave him to me, Sarah," said he.

"To you?" she sobbed.

"Ay; do you think I shall ever hurt him again, now you have told me you love him?" And he said it so finely she knew he meant it.

Then he sent to the market public-house for a sponge and some brandy, and meantime Mansell, who was tough, came to of himself; but the water and brandy completed his restoration to society. It was Pinder who sponged his face and nostrils, and took him to Brent's house, Sarah hovering near all the time like a hen over her chickens. She whipped into the house with her pass-key, and received her favorite at the door, then closed it gently, but decidedly—not that Joe Pinder would have come in if she had asked him. He did not even trust himself to say "Good-night." It was all over between him and her, and of course he knew it.

When she had got James Mansell safe she made him lie down on the little sofa, and sat at his head, applying cool linen rags to his swollen cheeks, and a cut upon his forehead due to Pinder's knuckles.

Presently her father came in from visiting a sick friend, and at sight of this group asked what was to do.

"It is that cruel Joe Pinder been beating him, father; I thought he had killed him."

"What for?"

Sarah blushed and was silent; she wouldn't own that James was the aggressor, and yet she wouldn't tell a falsehood.

"Joe Pinder!" said the old man: "he was never quarrelsome; there's not a better-hearted young man in the town, nor a more respectable. Now you tell me what was the quarrel about?"

"Oh, father!" said Sarah, deprecatingly.

"Ay! ay! I needn't ask," said the old man. "It was about a woman, eh? You might have been better employed, *all three*, this Sabbath evening."

"Well, sir, Sarah was only coming home from church this Sabbath evening," said Mansell; "but as for me, I was as much to blame as the other, so let us say no more about it." Sarah whispered, "You are very generous." The subject dropped till the old man retired to rest, and then James Mansell, who had been brooding, delivered himself thus: "He is not half a bad sort that Joe Pinder. But he is one too many for me, or I am one too many for him, so you must make up your mind this night which is to be your husband, and give the other the sack."

This was virile, and entitled to a feminine reply. It came immediately, in what, perhaps, if we could know the truth, is a formula—not a word—nor even a syllable—but a white wrist passed round the neck, and a fair head deposited like down upon the shoulder of her conqueror.

Joseph Pinder grieved and watched, but troubled the lovers no more. James Mansell pressed Sarah to name the day. She objected. Her father's health was breaking, and she would not leave him. Mansell urged her; she stood firm. He accused her of not loving him; she sighed, and wondered he could say that, but was immovable.

By-and-by it all came to her father's ears. He sent for a lawyer directly, and made the shop and house over to Sarah by deed of gift. Then he told her she need not wait for his death; he would prefer to see her happy with the man of her choice, and also to advise her in business for the little while he had to live.

So the banns were cried, and Joseph Pinder heard in silence; and in due course

James Mansell was united to Sarah Brent in holy matrimony.

In its humble way this was a promising union. The man was twenty-seven, the woman twenty, and thoughtful beyond her years. They had health and love and occupation; moreover, the man's work took him out of the woman's way, except at meals, and in the evening. Now nothing sweetens married life, and divests it of monotony and *ennui*, more than these daily partings and meetings. Mansell had three trades, and in one of them (graining) he might be called an artist. He could imitate the common woods better than almost anybody; but at satin-wood, mahogany, and American birch he was really wonderful. Sarah was a first-rate shop-woman, civil, prompt, obliging, and handsome—qualities that all attract in business. She gave no credit beyond a week, and took none at all.

In any class of life it is a fine thing when both spouses can contribute a share to the joint income. This is one of the boons found oftenest among the middle classes. Most laborers' wives can only keep house, and few gentlemen's wives can earn a penny.

The Mansells, then, upon a large and wide survey of life, were in a happy condition—happier far than any pair who do not earn their living.

One day a great sorrow came, but not unexpectedly. Matthew Brent died peacefully, blessing his daughters and his son-in-law.

The next day came a joyful event, Sarah's child was born—a lovely girl.

Mighty nature comforted the bereaved daughter, and soon the home was as cheerful as ever.

Indeed, it was not till the third year of her marriage that a cloud appeared, and that seemed a small one, no bigger than a man's hand.

James Mansell began to come home Saturday night instead of Saturday afternoon; and the reason was clear, he smelled of liquor; and though always sober, his speech was thick on these occasions.

Sarah, who had forecasts, was alarmed, and spoke in time. She remembered something her father—an observant man—had said to her in his day, viz., that your clever specimens of the class which may be called artist-mechanics are often addicted to liquer.

However, this prudent woman thought it best not to raise an argument about drink; she merely represented to her husband that there was now a run upon her shop Saturday afternoon and evening, and really it was more than she could manage without his assistance; would he be so good as to help her? He assisted readily enough, and then the Saturday afternoons became her happiest time. He himself seemed to enjoy the business and the bustle and his wife's company.

But by-and-by he came home very late on Monday, with the usual signs of a drop; then she advised him and entreated him, but never scolded him. He acquiesced, and was perfectly good-tempered though in the wrong. But one day in the week he would come home late, and mumble what is called the Queen's English, but I believe the people hold a few shares in it. Sarah was disappointed, and a little alarmed, but began to hope it would go no farther at all events. However, one Saturday, if you please, he did not come to help her in the shop, did not even come home to supper, and she had made such a nice supper for him. She sat at the window and fretted, she went from the window to her sleeping child and back again, restless and apprehensive.

At midnight, when the whole street was still, footsteps rang on the pavement. She looked out and saw two men, each with an arm under the shoulder of a third, hoisting him along. She darted to the street door, and received her husband from the hands of two men who were perfectly sober. One of them turned on his heel and walked swiftly away at sight of her. But she saw him—for the first time this three years.

It was Joseph Pinder.

## CHAPTER II.

MR. MANSELL began his bibulous career with a redeeming quality more common in Russia than in England—good-natured in his cups. He chuckled feebly, and opposed the inertia of matter only, while the dismayed wife pulled him and pushed him, and at last got him down on the little sofa in the shop parlor. Then she whipped off his neck-tie, and washed his face in diluted lavender water, and put her salts to his nose. Being now on his back, he soon went to sleep and breathed sonorously, while she sat in her father's armchair and watched him bitterly and sadly.

At first his hard-breathing alarmed her, and she sat waiting to avert apoplexy.

But toward morning sleep overcame her. Then daylight coming in with a shoot awakened her, and she looked round on the scene. The room in disorder, her husband sleeping off his liquor, she in her father's armchair, not the connubial bed.

Her first thought was, "Oh, if father could see us now this Sabbath morn!" she got up sadly, and lighted fires; then went upstairs, washed and dressed the little girl and made her lisp a prayer. Then, not choosing the daughter to see the father in his present condition, she went down and waked him, and made him wash his face and tidy himself. He asked for brandy; she looked him in the face, and said, "No, not one drop." But he was ill and coaxed her. She gave him a table-spoonful, and then ground some coffee and gave him a cup hot and strong.

She was not a hasty woman, she showed him a face grave and sad, but she did not tell him her mind. So then he opened the subject himself.

"This will be a warning to me."

"I hope so," said she, gravely.

"Can't think how I came to be overcome like that."

"By putting yourself in the way of it. If you had been helping me at the shop, that needed your help, it would have been better for you, and for me too."

"Well, I will after this. It is a warning."

She began to relent. "Well, James, if you take it to heart, I will not be too hard, for where is the sense of nagging at a man when he owns his fault? But, oh, James, I am so mortified! Who do you think brought you home?" He tried to remember, but could not. "Well, one of them was the last man in Liverpool I would have to see you let yourself down so. It was Joe Pinder."

"I never noticed him. What, was he tight, too?"

"No; if he had been, I wouldn't have minded so much. He was sober and you were—"

The man did not seize the woman's sentiment. He said, carelessly, "Oh, 'twas he brought me safe home, was it? He is not half a bad sort, then."

Sarah stared at this plain, straightforward view of her old lover's conduct. She had a greater desire to be just than most women have, but she labored under feminine disabilities. She was silent, and weighed Mansell's view of the matter, but came back to her own. "I do hope," said she, "you will never be so overtaken again—think of your child—but if you are, oh! pray don't come home on that man's arm. I'd crawl home on all fours sooner if I was you."

"All right," said he vaguely. Then she took this opportunity to beg him to go to church with her that morning. Hitherto he had always declined, but now he consented almost eagerly. He clutched at a composition. He said, "Sally, them that sin must suffer." The fact is, he expected to hear his conduct denounced from the pulpit. Catch the pulpit doing anything of the kind! The pulpit is not practical, and meddles little with immorality as it is, and rarely gives ten consecutive minutes to that particuilar vice which overruns the land. James Mansell sat under a drizzle of thin generalities, and came home complacent.

His wife was pleased with him, and still more when he took her and Lucy for a walk in the evening, and they carried the child by turns.

After this the man kept within bounds;

he soaked, but could always walk home. To be sure, he began to diffuse moderate inebriety over the whole week. This caused the good wife great distress of mind, and led to practical results that alarmed the mother and the woman of business. Mansell was still the first grainer in the place, and the tradesmen would have employed him by preference if he could have been relied on to finish his jobs. But he was so uncertain: he would go to dinner, and stop at a public-house; would appoint an hour to commence, and be at a public-house. He tired out one good customer after another. The joint income declined in consequence, and, as generally happens, their expenses increased, for Mrs. Mansell, getting no help from her husband, was obliged to take a servant.

Often in the evening she would close her shop early, leave her child under strict charge of the girl, and go to some public-house, and there coax and remonstrate, and get him away at last.

With all this, she was as true as steel to him. She never was known to admit he was a drunkard. The most she would acknowledge to angry tradesmen, and that somewhat haughtily, was that he took a drop now and then to put away the smell of the paint.

But in private she was not so easy. She expostulated, she remonstrated, she reproached, and sometimes she lost heart, and wept bitterly at his behavior.

All this had its effect. The invectives galled Mr. Mansell's vanity; the tears bored him; the total made him sullen, and alienated his affection. The injured party forgave freely; not so the wrongdoer. As he never hit her—which is a vent—this gracious person began to hate her. But her love remained as invincible as his vice.

Deborah's husband died suddenly of apoplexy. Sarah dared not go to comfort her, and would not tell the reason. She begged the mourner to come to her.

Deborah came, and the sisters rocked together, country fashion, crying; though

such different characters, they had a true affection for each other.

By-and-by Deborah told her, with another burst of grief, her husband had left her nothing but debt. She was next door to a beggar.

"Not while I live," was the quiet reply. "Stay with me for good, that is all." The servant was discharged at Deborah's request: she said she must work hard or die of grief. Accordingly, she went about crying, but working, and all the steel things began to shine and the brass to glitter, because there was a bereaved widow in the house.

This was a great comfort in every way to Sarah; she could leave the house with more confidence when her beloved had to be dragged away from liquid ruin, and also it did her good to sympathize with her bereaved sister. She forebore at that time to tell Deborah her own trouble; and this trait indicates, I think, the depth of her character.

As for Deborah, she soon cried herself out, and one afternoon Sarah heard her laughing with the baker's man—laughing from the chest, as young ladies are ordered to sing (but forbidden by Sir Corset), and an octave lower than she had ever spoken upstairs since she came.

Sarah was surprised, and almost shocked at first. But she said to herself, "Poor Deb, she is as light-hearted as ever; and why should she break her heart for him? he wouldn't for her."

By-and-by Deborah used to leave the house when her work was done, if Sarah stayed at home. She could not read, so she must walk and she must talk. She had not read a single book this five years; but her powers of conversation were developed. She had sold country produce in two markets weekly, and picked up plenty of country proverbs and market chaff.

She soon took to visiting all her old acquaintances in the place, and talked nineteen to the dozen—and here observe a phenomenon. Her whole vocabulary was about nine hundred words, whereas you and I know ten thousand and more, yet she would ring a triple bob major on that

small vocabulary, and talk learned us to a stand-still. As her talk was all gossip, she soon knew more about the Mansells than they knew themselves, and heard that Mansell drank and lived upon his wife.

This gave her honest concern. Now she held the clew to Sarah's absences and frequent return with her husband in charge and inarticulate. She did not blurt it out to her sister, nor was she angry at her want of confidence. She knew Sarah's character, and rather admired her for not exposing her man to any human creature. Still, when she did know it, she threw out so many hints one after another that Sarah, who, poor soul, yearned for sympathy, made at last a partial disclosure, with many a sigh.

Deborah made light of it, and hoped it was only for a time, and after all Sarah was glad she knew, for Deborah's tongue was not in reality so loose as it was fluent. She could chatter without any appearance of reserve, and yet be as close as wax. She brought home to Sarah all she heard, but she never told anything out of the house.

One day she said to Sarah, "Do you know a man called Varney—Dick Varney?" Sarah said she had never heard his name.

"Then," said Deborah, "you ought to know him."

"Why?"

"Because when you know your enemy you can look out for him, and he is your enemy after a manner; for 'tis he that leads your husband astray, so that young man said."

"What young man?"

"I think his name is Spencer, and somebody called him Joe; he was a good-looking chap anyway. I suppose he was a friend of Jemmy Mansell's. Somebody did praise you for a good daughter and a good wife, but one that had made a bad bargain; then that was the signal for each to have a fling at Jemmy Mansell. Never you mind what *they* said. This handsome chap stood up for him, and said the man was a first-rate workman, and meant no harm, but he had got a tempter, this Dick

Varney. So then I told the young chap who I was, and he seemed quite pleased like, and said he had heard of me. Of course what he said I stood by. I said there couldn't be a better husband or a better man—bar drink—than James Mansell."

Sarah thanked her, but said, "Oh, that we should come to be talked of!"

"Everybody *is*, within walls," said Deborah, "and them that listens learns. By the same token, you keep your eye on that Varney."

"How can I? I don't know him."

"No more you do, and what a stupid I must be not to ask that good-looking chap more about him. I wonder who he is; I will ask James."

"No."

"Why not?"

"Describe him to me."

"Well, he is tall and broad-shouldered, and has light hair, and dark gray eyes like jewels, and teeth as white as milk, and a gentle, pleasant way; looks a bit sad, he does, as if he had been crossed in love, but that is not likely—no woman would be such a fool that had eyes in her head. Then he was very clean and neat, like a man that respected hisself, and lowered his voice a bit to speak to a woman. There's a duck!"

Sarah looked a little surprised at this ardent description. However, she reflected—and I suppose she thought there must be some truth in it, though it had not struck her. Then she said, carelessly, "What was his business?"

"I think he was in the same way as James himself."

"Was his name Pinder?—Joseph Pinder?"

"That or something. The name was new to me, but Joseph for certain."

"Well, if it is Joseph Pinder, I will ask you not to make acquaintance with *him*. You seem to be making acquaintances very fast for a woman in your condition."

"My condition," said Deborah. "Why, that is where it is—I can't bear to think. I must work or talk. It is very unkind of you to cast my condition in my teeth."

"I didn't mean to, Deb. There, forgive me."

"With all my heart—you have got your own trouble. Only give me a reason why am I not to speak to this Joseph—such an outlandish name—this handsome Joe."

"Well, then, one reason is, he courted me after a fashion."

"Oh, la! Is that where the shoe pinches?"

"We used to walk together like two children till my man came; then they quarreled, and that Pinder beat him, and I can't forgive it, and the first night James was quite overtaken with liquor Pinder brought him home, and it was like a knife to my heart."

"Poor Sally! you saw you had chosen the wrong one."

"Chosen the wrong one!" cried Sarah, contemptuously. "I wouldn't give my James's little finger, drunk or sober, for a thousand Joseph Pinders. There, it is no use talking to you. You don't understand a word I say. Anyway, I do beg of you not to make acquaintance with the man, nor let him know what passes in this house."

"Why, of course not, Sally, if you say the word. What is the man to me? Your will is my pleasure, and your word my law."

This, from an elder sister, merited an embrace, and it received a very tender one.

At last it came to this, that nobody in the town who knew James Mansell would employ him.

Instead of contributing his share, he lived entirely on his wife, at home and abroad; and he lived ill. So the house was divided against itself. The husband, the bread-winner in theory, was doing all he could to ruin the family; two brave women were fighting, tooth and nail, to save it. They were losing ground a little, and that alarmed Sarah terribly; but then she had a reserve—sixty pounds hidden in an iron box, with a good key. She never told her husband of this. She hid it for his good. The box was a small one, but she had it fastened with strong iron clamps

to the wall, and she kept salables before it to hide it.

Mansell's extravagance she fed from the till, not without comments, grave and sorrowful, not bitter; yet they imbittered him. The man's vanity was prodigious: it equaled his demerit.

While the brave wife and mother was thus battling with undeserved adversity, she received a new alarm.

Being single-handed in the shop, it was her way to prepare, with Deborah's assistance, weighed and marked packets of sugar, tea, soda, and other things; and one evening they had taken a lump of Irish butter out of the tub and weighed five pounds, and left it on a slab. Early in the morning a customer came for a pound. This was weighed off, and left so small a residue that Mrs. Mansell weighed it, and found there was only one pound and a half left.

She could hardly believe her senses at first, but the weight was clear. She asked Deborah, with assumed carelessness, how much butter they had weighed out last night. Deborah replied, without hesitation, "Five pounds."

After that day she looked more closely into the stock, and she detected losses and diminutions. One day a slice off a side of bacon; another, a tin of preserved meat; in short, a system of pilfering. She shrank from the idea of theft, if it could be accounted for in any other way. She thought it just possible, though not likely, that Deborah had made free with these things for the use of the house. She told her what she had discovered, and asked her as delicately as possible whether she ever came to the shop for anything that was wanted in her kitchen.

Deborah went off like a woman of gunpowder cross-examined by a torch. "Me take anything out of your shop for my kitchen!"

"Well, 'tis my kitchen and all—'twould only be from Peter to Paul."

The other was not to be pacified so. "Me take what does not belong to me! Oh, have I lived to be suspected by my own sister? I'd cut off this arm sooner

than I would steal with this hand. I never wronged a creature of a farthing, or a farthing's worth, in all my life. Send me home. Send me to the workhouse. I am not fit to be trusted—and so many things about. Oh! oh! oh! oh!" and down she sat and rocked.

"There! there! there!" cried Sarah, coming swiftly and sitting beside her. "Now where would have been the harm if you had taken things for our own use? And oughtn't I to ask you before I suspected something worse? Oh, Deborah, haven't I trouble enough that you must cry and set me off too? Oh! oh! You might think a little of *me* as well as yourself. Is it nothing to you that I am robbed and all? Haven't I trouble enough without that? There, give over, that's a dear, and I'll give you a new print this very day."

Deborah dried up directly, and her sentiments shifted like the wind. "I wish I had them that rob you," said she, and she extended her great, long, powerful arm formidably.

"We must watch day and night, dear," said Mrs. Mansell, gloomily, and with a weary air, and she took it all to heart, even the pain she had given Deborah, whose mind was like running water, and retained no trace of the dialogue in ten minutes. Not so the deeper nature. Mrs. Mansell brooded over it all, and when the shop was shut, she sat in the parlor—sat and suffered. James Mansell was out as usual. She sat and looked at Lucy, and wondered what would be her own fate and her child's at the end of this desperate struggle. She became hysterical—a rare thing with her—and Deborah found her trembling all over where she sat, and quite shaken. She was despondent and exasperated by turns. She had twitches all over her body, and hot tears ran out of her eyes.

It was a woman's breakdown, and Deborah, who knew the female constitution, just sat beside her and held her hand. Sarah clung to this hand, and clutched it every now and then convulsively. She spoke in broken sentences. "Too many

things against me; drunkenness here; theft there. It will end in the work-house! How else can it end? I'm glad father's dead. Poor father! Have I lived to say that?" The talkative Deborah said never a word, so Sarah began to calm down by degrees with gentle sighs and tremors.

Unluckily, before she was quite calm, Mansell knocked at the door. Sarah could tell his knock, or his footstep, or any sound he made, in a moment. Her face beamed. It was early for him. He was sober, and she could tell him of this new trouble.

Deborah ran to let him in. Sarah stood up smiling to welcome him.

He blundered into the room, beastly drunk, neckcloth loose, eyes blood-shot; he could just keep on his legs.

Sarah caught up her child with the strength of a lioness, flung one full and fiery look of horror and disgust right in her husband's face, then rushed majestically from the room, carrying her child across her arms.

Drunk as he was, the brute staggered under this tremendous glance and eloquent rush. He blundered against the mantel-piece, and hung his head.

Deborah set her arms akimbo. "You've done this once too often," she said, grimly, and her eyes glittered at him wickedly.

"Mind your own business," said he. "Why did she run away from me like that?"

"Because of the child, you may be sure. There, don't let us quarrel. Will you have your supper, now you are here?"

"I don't want my supper; I want my wife. You go and fetch her directly." He was excited, and Deborah, determined to keep the peace, took his message to Sarah in Lucy's bedroom.

Sarah was shaking all over, and refused to come. "I dare not," said she. "I am in such a state I feel I might say or do something I should rue afterward, for I love him. Would to God I had never seen him, but I love him. Go you and pacify him. I shall sleep here beside my child."

Deborah went down, and found Mansell

in the armchair, looking spiteful. She told him Sarah was not well. She could not come down.

"Humbug!" roared James Mansell; "she is shamming—I'll go and fetch her down;" and he bounced up. Deborah whipped before the door. "Stand out of my way," said he, loftily, and came blundering at her. She pinned him directly by the collar with both hands, shook him to and fro as a dog does a rat, then put both hands suddenly to his breast, made a grand rush forward with him, and with the double power of her loins and her great long arms shot him all across the room into the armchair with such an impetus that the chair went crashing against the wall, and the man in it head down, feet up.

Mr. Mansell stared dumfounded at first. He thought some supernatural power had disposed of him. He did not allow for suddenness, and was not aware that pulling and pushing go by weight, and that strapping Deborah, without an ounce of fat, weighed two stone more than he did, owing to certain laws of construction not worth particularizing *à la française*.

"I never lay my hand on a woman," said he, moodily.

"I'm not so nice," replied Deborah, erect, with her fists upon her hips. "I can lay my hands on a man—for his good. I've had that much to do afore now, and I never found one could master me, bar hitting, which I call that cowardly."

Then as time was up for a change of sentiment—eighty whole seconds—she shifted to friendly advice.

"Jemmy, my man," said she, "women are curious creatures. They are not themselves at times. Our Sally has got the nerves. She might fling a knife at you if you tormented her just now, sobbing over her child. Take my advice, now, that is a friend to both of you. Let her a-be. If you don't upset her no more to-night, which I declare *you shan't*, she'll be as sweet as honey in the morning."

"She may," said Mansell sullenly, "but I shall not. If she lies away from me to-night, I'll lie away from her a year or more, mind that."



"Where? In the union?"

"No. That is as much as to say she keeps me."

"Well, and doesn't she? Where does the money come from you spend in drink?"

"I have got an offer of work."

"Work? It isn't under your skin."

"Not here, but this is in America. Such work as mine is paid out there, and I can make my fortune, and not have it flung in my face I'm living on a woman."

Deborah did not think this gasconade worth replying to. She suggested repose as the best thing for him after the hard work he had gone through—lifting mugs and quarters all the way from the counter to his teeth. With much trouble she got him up the stairs, and took off his neck-cloth and loosened his shirt collar. Then she retired for a reasonable time, and when he was in bed came and took away the candle from him as she would from a child. He called to her.

"Hear my last word."

"No such luck," said she, dryly.

"Hold your tongue."

"If I hold my tongue I shall slobber my teeth."

"Can you listen a moment?"

"If I hold my breath."

"Then mind this. If she leaves me like this, I'll leave *her*. I won't be taken up and put down by any woman."

"I'll tell her, my man," said she, to quiet him; then took away his candle, and went downstairs to her own room, for she slept on the kitchen floor. She seized a feather bed, lugged it up the stairs, and made up a bed on the floor for Sarah. "He is all right," said she, and not a word more. Then she went downstairs, and put her red hair in curl-papers—for she was flirting all round (No. 1 had been dead six months)—and slept like a stone upon a hard mattress, not harder than her own healthy limbs.

### CHAPTER III.

WHAT wonderful restoratives are a good long sleep and the dawn of day! They co-operate so, invigorating the body and fortifying the mind. They clear away the pain and the forebodings night engenders, and brighten not only the face of nature, but our individual prospects. The glorious dawn falling upon our refreshed eyes and invigorated bodies is like a trumpet sounding "Nil Desperandum." Mrs. Mansell was one of the many whom sleep and dawn re-inspired and reconciled to her lot that morning. She had slept in a pure atmosphere, untarnished by a drunkard's breath. She awoke with her nerves composed and her heart strengthened.

Her life was to be a battle—that was plain. But she had forces and an ally. Her forces were rare health, strength, prudence, and sobriety. Her ally was Deborah. She began the battle this morning brightly and hopefully. She was the first up, and having dressed herself neatly, as she always did, she put on a large apron and bib, coarse but clean, and descended to the parlor. She called up the spiral staircase, "James!"

No answer.

She went into the shop and called down the kitchen stairs. No reply from her sister. "Lazy-bones," said she. She struck a light in the shop, and her eye fell upon a large hand-bell. She took it up and rang it down the kitchen stairs. Instantly there was a sort of yawn of distress. Then she bustled into the parlor and rang it up the spiral staircase. Then she set it down and took her candle into the shop, and sorted, and dusted, and counted the goods, and cleaned the counter.

Presently in sauntered Deborah from the kitchen, with her hair in curl-papers, and a chasm in the upper part of her gown, so that she seemed half dislocated; and she adhered to the wall for support, and sprawled out one long arm and a hand, which she flattened against the wall, to hold on by suction sooner than not at all. "Here's a [yawn] to do," said she. "Anybody's [yawn] cat dead?"

"No, but mine are catching no mice. Nobody to light the fire and give my man his breakfast while I open the shop. Aren't you ashamed of yourself?"

"Too sleepy [yawn] to be ashamed of anything!"

"Then wake up and bustle."

Deborah gave herself a wriggle that set her long bare arms flying like windmills, and went to work. The pair soon brightened the parlor, and then Sarah came into the shop and opened the door; but the patent shutters outside were heavy and stiff, as she knew, so she called Deborah.

"You might pull down those heavy shutters outside for me. You are stronger than I am, for all you look like a jelly-bag."

Deborah drew back in dismay. "Me go into the street! I'm not half dressed."

"Fine shapes don't need fine clothes. You might catch another husband on the pavement."

"I'd rather catch him in church with my new bonnet." Then, to escape any more invitations to publish her curl-papers—for that was where the shoe really pinched—she ran maliciously into the parlor, screaming up the corkscrew stairs, "Here, master! James Mansell, you are wanted!"

"Be quiet," said Sarah, coloring; "he is not your servant. Them that do it for me will be round directly. It isn't the master's business to put up the wife's shutters."

"I think it is then, if he is a man, for it is a man's work."

Deborah spoke this at James Mansell, and at the top of her voice. The words were hardly out of her mouth when a man's hands were seen to pull down the heavy shutters and let in the light.

"Didn't I tell you?" said the ready Deborah. "And here is one dropped from the sky express."

"Why, it is Joseph Pinder," said Mrs. Mansell, drawing back.

"La! Your old sweetheart!"

"Never! For shame! Hold your tongue!"

Deborah grinned with delight, and whipped into the parlor to hide her curl-papers and listen. Sarah went behind

the counter and minded her business. She made sure Pinder would proceed on his course as soon as he had done that act of courtesy.

Instead of that he came slowly and a little sheepishly in at the door, and stood at the counter opposite her. He was in a complete suit of white cotton, all but his soft brown hat, and looked wonderfully neat and clean.

"Good-morning, Mrs. Mansell," said he, respectfully.

"Good-morning, Mr. Pinder," said Mrs. Mansell. Then, stiffly, "Sorry you should take so much trouble."

Pinder looked puzzled, so, woman-like, she answered his looks:

"I mean, to take down my shutters. I pay a person express."

"Oh, I heard somebody say it was a man's work."

Sarah explained, hurriedly: "Oh, that was my sister."

"What, Deborah?"

"Deborah," said she, dryly, in a way calculated to close the dialogue. But Pinder did not move. He fumbled with his hat, and at last said he was not there by accident, but had come to see her.

"What for?" and she opened her eyes rather wide.

"A little bit of business."

Sarah colored, but she said, dryly, "What can I serve you?"

"Oh, it is not with *you*; it is with your husband."

"Indeed," said she, rather incredulously, almost suspiciously.

"Got him a job?"

"That is very good of you, I'm sure," was the reply, and now the tone was satirical. "My husband has plenty of jobs."

"Well, he used to have; but the shop-keepers here are against him now; they say he leaves his work."

Sarah seized this opportunity to get rid of Mr. Pinder altogether. "Did you come here to run my husband down to me?" she inquired, haughtily.

"Am I one of that sort?" said Pinder, defiantly. He was beginning to take offense, as well he might. "I came to

do the man a good turn, whether I get any thanks for it or not."

Sarah colored and held her peace. He had taken the right way with her now. But it was hard for the good-natured fellow to hold spite, especially against her. He went naturally back to his friendly manner, and told her that the new Rectory was being decorated by a London firm, and their grainer had been taken ill, and he (Pinder) had told the foreman he knew a tiptop grainer, James Mausell, and the foreman had jumped at him.

"I've made the bargain, Sarah. London price. It's a thirty pound job." And he looked proud.

"Thirty pounds!" exclaimed Sarah.

"Yes; it is a large house, paneled rooms, and hall, and staircase, all to be grained, besides the doors and shutters and skirtings. Only mind, these swell London tradesmen won't stand—unpunctuality. Where is he, if you please?"

"Oh, he is at home."

"Then let me see him directly."

"You can't just now."

Deborah, who had listened to every word, chose this moment to emerge from the parlor. She had utilized her curl-papers by lighting the fire with them, and came out very neat in a charming cap, and courtesied. "Give him half an hour, Mr. Pinder," said she, sweetly; "he is in bed."

Pinder looked at his watch, and said he could not wait half an hour; he was due; but he wrote a line with his pencil for Mansell to give to the foreman; then he put on his cap and said jauntily, "Good-morning, ladies."

"Good-morning, sir," said Deborah, graciously.

"And thank you, Joseph," said Sarah, gently.

"You are very welcome; I suppose you know that," said he, as bluntly as he could.

When he was gone, Sarah's artificial indifference disappeared with a vengeance. She ran into the parlor, and screamed up the spiral staircase, "James! James! Such good news! Get up and come down directly!"

"All right," said a sleepy voice.

Then she turned on Deborah. "And what call had you to say he was in bed?"

"Oh, the truth may be blamed, but it can't be shamed," was Deborah's steady reply.

Proverbs being unanswerable, Sarah changed the subject. "And if you haven't got on my new cap!"

Deborah had no by-word ready to justify misappropriation of another lady's cap; so she took a humble tone. "La, Sally, I couldn't help it! he was such a nice young man. You can't abide him, but tastes they differ. Do you think he will come again? If he does, I really must set my cap at him."

"But not *mine*;" and Sarah, who was in rare spirits, whipped her cap in a moment off her sister's head.

"La! you needn't to take my hair and all," whined Deborah. "That's my own, anyway."

"Then you are not in the fashion," was the ready reply. "Come, Deb, enough chat; this is a busy morning, and a happy morning to make us forget last night forever. Now, dear, run, and make my man his coffee—nice and strong."

"I will."

"And clean his boots for going out."

"If I must, I must," said Deborah, with sudden languor. She never could see why women should clean men's boots.

"And air him a shirt."

"Is that all?" inquired Deborah, affecting surprise.

"All at present," said the mistress, dryly.

"What, hasn't he any hose to darn, nor hair to be cut, nor teeth to be cleaned for him?"

"You go on with your cheek," and she threatened Deborah, merrily, with a duster. Her heart was light. And now a customer or two trickled in at intervals. She served them promptly and civilly.

Presently she saw her husband coming slowly down the spiral staircase. She ran into the parlor to meet him. Not a word about last night, but welcomed him with smiles and a long kiss.

"Good news, dear," said she, jubilant.

He received her with discouraging languor. "Well, what is up?"

But she was not to be disheartened so easily. "Why, Jemmy dear, there's a job waiting for you at the Rectory, and you are to have thirty pounds for it."

"Thirty pounds! That will be a long job."

She tossed her head a little at that. "Why a long job? It is not day work. It shouldn't be a long job if I had it to do, and was as clever as you are. Come, here's Deborah with your coffee and nice hot toast. Eat your breakfast and start. No, don't take it into the parlor, Deb, to waste more time; set it down here on the flap. I do love to see him eat."

Mr. Mansell, thus stimulated, put the coffee to his lips. But he set it down untasted, and said he couldn't.

"Try, dear; 'twill do you good."

"I can't, Sally; I am very ill; my head swims so, and my chest is on fire. Oh!" and Mr. Mansell leaned on the end of the counter and groaned aloud. He made so much of his disease that Sarah was alarmed, and told Deborah to run for the doctor.

That personage stood stock-still, and as ostentatiously calm as the invalid was demonstrative in his sufferings. "A doctor! Why, he'd make the man ill." She folded her arms and contemplated the victim. "Hot coppers," said she. "He only wants a hair of the dog that bit him." This with a composure that befitted the occasion; but it was not so received. "How dare you!" cried Sarah.

"Yes, Deb, for mercy's sake," moaned the sufferer—"for mercy's sake, a drop of brandy!"

Deborah would have gone for it directly if she had been mistress, but, as it was, she consulted her sister by the eye.

Sarah replied to that look with great decision. "Not if you are any sister of mine. Ay, that is the way of it—drink to be ill, and then drink to be well; and once you have begun, go on till you are ill again, and want a drop to start you again on the road to beggary and shame. Drink, drink, drink, in a merry-go-round that never

halts." Then, firmly: "You drink *your* coffee without more words, and then go and work for your daughter like a man. Come!"

She held the cup out to him with a fine air of authority, though her heart was quaking all the time, and he, being just then in a subdued condition, took it resignedly, and sipped a little. Then a customer came in, but Sarah was not to be diverted from her purpose. She ordered Deborah to stand there and see him drain every drop. Deborah folded her bare arms and inspected the process loftily but keenly. He got through two-thirds of the contents, then showed her the balance with such a piteous look that she had compassion, stretched out her long arm for the cup, sent the contents down her throat with one gesture, and returned the cup with another gesture, half regal, half vulgar, all in two seconds, and James, with admirable rapidity, set the cup down empty under Sarah's eye, and so they abused her confidence.

"Well done," said she; "strong coffee is an antidote, they say, and work is another. Off you go to the Rectory, and work till one. Deborah will have a nice hot dinner ready for you by then." She found him his basket and his brushes, all cleaned by herself, though he had left them foul.

At this last trait a gleam of gratitude shot into his skull. He said, "Well, you are the right sort. It is some pleasure to work for you."

"And our child," said she. "Think of us both when you think of one. Oh, Jemmy, dear! if you should ever be tempted again, do but ask yourself whether them that tempt you to your ruin love you as well as we do."

"Say no more, Sally; I'll turn a new leaf. Here, give me a kiss over the counter." So they had a long conjugal embrace over the counter.

Deborah looked on, and said in her way, "Makes my mouth water, being a widdler."

"There," said James Mansell, turning to go. "I'll never touch a drop again until I have chucked that thirty pounds into your lap, my girl." With this resolve he left the shop.

Sarah must come round the corner and watch him down the street; then she turned at the door, and beamed all over, and her eyes sparkled. "God bless him!" she cried. "There isn't a better workman, nor a better husband, nor a better man, in Britain, only keep him from drink. Now is there?"

"La, Sarah! how can I tell? I never saw him sober six days running; but I have heard you say he used to be a good husband. And why not again, if he do but keep his word?"

"And he will; he is not the man to break his word, far less his oath. He turns over a new leaf to-day, and I'm a happy woman once more."

"And I'll have his dinner ready to the moment."

Deborah dived into the kitchen, and was heard the next moment working and whistling tunes of a cheerful character. No blacksmith or plow-boy could beat this rustic dame at that.

Mrs. Mansell was soon occupied at the counter. A cook came in, and bought three pounds of bacon at *8d.* the pound for her mistress, and ditto of best Limerick at *11d.* for the kitchen; these prices to be reversed in her housekeeping book. She also paid the week's bill, and demanded her perquisite. Sarah submitted, and gave her half a crown, or her mistress would have shopped elsewhere under her influence. Then came a maid-of-all-work for a packet of black-lead, seven pounds of soda, two of sugar, a bar of soap, and some "connubial" blacking. Sarah said she was out of that. The slavey replied, with the usual attention to grammar, "Oh, yes you do. Mrs. White's servant buys it here."

"Oh, that's Nubian blacking."

"Well, and that's what I want; saves a vast o' trouble."

Others came, child customers, some only just up to the counter, and many of them mute. These showed their coppers, and Sarah had to divine the rest. But she had a rare eye for them; she looked keenly at each mite, and knew what they wanted by their faces and their coin. She gave one a screw of tobacco for father, another a

candle with paper wrapped round the middle, another an ounce of candy. But as it drew near one there was a lull in trade, and savory smells came up from the kitchen. The good wife must have a finger in her husband's dinner. She locked the shop door and ran down to the kitchen fire, and when it had struck one, and everything was done to a turn, she ran up again and unlocked the door and laid a clean cloth in the little parlor, and had Lucy there very neat, that no attraction might be wanting to her converted husband and workman on his return to his well-earned meal.

By-and-by Deborah looked in with cheeks as red as her hair to say the steak would spoil if not eaten.

"But you mustn't *let* it spoil," objected Sarah, loftily. "He won't be long now." Then, with delight, "Here he is," for a man's figure darkened the door. "No; it's only Joseph Pinder."

Joseph Pinder it was, and for once looked morose. He had a tin can with a narrow-ish neck in his hand, and put it down on the counter with some noise, as much as to say, "This time I am a customer and nothing more." Mrs. Mansell received him as such, went behind the counter directly, and leaned a little over, awaiting his orders.

"Half a gallon of turps," said he, almost rudely. Mrs. Mansell went meekly and filled his can from a little tank with a tap.

But Deborah, who never read books, always read faces. She scanned Pinder, and said, "You seem put out. Is there anything the matter?"

"Plenty," said he; "more than I like to tell. But she must know it sooner or later. Serves me right, anyway, for recommending a—"

He stopped in time, and turned away from Sarah to Deborah, and said, bitterly, "He never came to work at all. He fell in with a tempter in this very street, and got enticed away directly."

Sarah raised her hands in dismay, and uttered not a word, but an inarticulate cry of distress so eloquent of amazement and dismay that Pinder's anger gave way to

pity, and he began all of a sudden to make excuses for the offender, and lay the blame on Dick Varney, a dangerous villain with a cajoling tongue, a pickpocket's fingers, and a heart of stone. He turned to Sarah now, and enlarged on this villain's vices. Said he had been in prison twice, and it was he who was ruining James Mansell.

But Sarah interrupted all this. "Never mind him. Where is my poor husband?"

"At the 'Chequers,' my mate says."

"Give me my shawl and bonnet, Deborah."

"What to do?" inquired Pinder, uneasily.

"To fetch him away," was the dogged reply.

Then at last the long-hidden truth came out. "Oh, it will not be the first time I have gone to a public-house, and stood their jeers and his drunken anger for an hour or two, and brought him home at last. He has sworn at me before them all, but he never struck me. Perhaps that is to come. I think it will come to-day, for he was more violent last night than ever I knew him to be. I don't care; I'll have him home if I die for it."

"Not from the 'Chequers,' you won't. You don't know the place; there are bad women there as well as bad men. Why, it's a boozing ken for thieves and their jades. Take a man away from them! They would soil your ears and make your flesh creep, and perhaps mark your face forever. You stay beside your sister. I must go on with it now. I'll strike work at dinner-time, for once in my life, and I'll bring your man home."

This melted both the sisters, Sarah most, who had been so cold to her old lover. "Oh, thank you! bless you, Joseph," she sobbed.

"Don't cry, Sally," said the honest fellow, in a broken voice; "pray don't cry; I can't bear to see you cry," and he almost burst out of the place for fear he should break down himself, or say something kinder than he ought. His boy was waiting outside; he sent him in for the turps, and ordered him to tell the foreman to dock his afternoon time; he was gone to look after the grainer.

He went down to the "Chequers," and got there just in time to find Mansell quarreling with three blackguards in the skittle-ground. Indeed, before he could interfere, one of them gave the drunken man a severe blow on the nose, that made him bleed like a pig. The next moment the aggressor lay flat on his back, felled by Joe Pinder. The other two sparred up, but went down like nine-pins before that long muscular arm, shot out straight from the shoulder. Then he seized Mansell, and said, "The villains have hurt you; come and be cured." And so, not giving him time to think, he half-coaxed, half-pushed him out of the place, and got him on the road home.

Meantime Sarah sat sorrowful, and said her happy day was soon ended, and she wished her life was ended too. Deborah sat beside her, and tried to comfort her.

"One good thing," said she, "you have got a friend now, when most wanted, and a 'friend in need is a friend indeed.' And to think you had the offer of Joseph Pinder and could go and take James Mansell!"

Sarah drew up. "And would again," said she, "with all his faults. I would not give him for Joe Pinder, nor any other man."

"Well, that's a good job, as you are tied to him," remarked Deborah.

"Do you think Joseph will bring him home?"

"If any man can. I think ever so much of that chap."

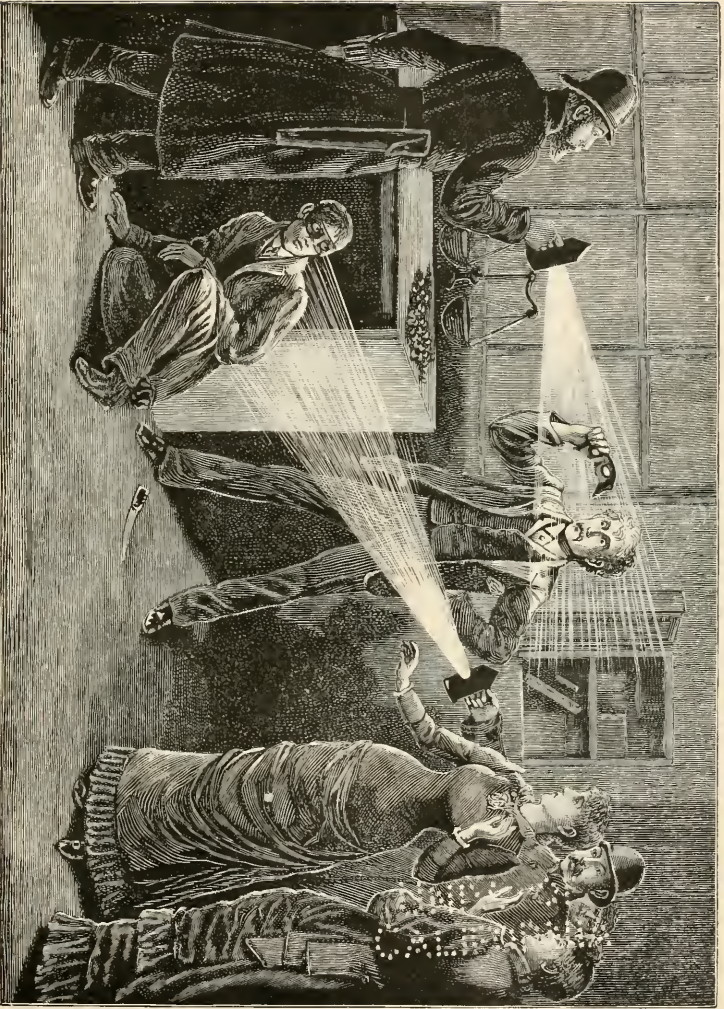
"Then don't let the dinner spoil, at all events."

Deborah didn't trust herself to speak. She got up resignedly to attend to the possible wants of this deserving husband. Sarah divined that it cost her a struggle, and tried to gild the pill.

"You are a good sister to me," said she.

"That I am," said Deborah, frankly. "But so are you to me; and I was always as fond of you as a cow is of her calf."

"And I haven't forgot the print," said Mrs. Mansell; "but you see how I have been put about. I mustn't go to my safe even for you, but there's half a sovereign in the till, and you shall have it, before



"I'M THE MASTER OF THE HOUSE."  
—Singlecarr and Doublecarr.





some fresh trouble comes to make me forget."

Deborah's eyes sparkled, but she said it wasn't a fit time, there were too many sucking at her.

"And that is true; but they can't drain me. Don't tell a soul; I make a deal of money in this little shop. I wouldn't give my Saturdays for £5 apiece." Then, al- most in a whisper, "I've got sixty pounds put by in that safe there, and the safe fast- ened to the wall. I mustn't touch that money, 'tis for my darling Lucy. But there's an odd half-sovereign in the till, and it is for you. There are some beau- ties at Coverley's over the way." Dress, having once been mentioned, was of course the dominant substantive. While she was speaking, she took out her keys and opened the till. There was much less silver in it than she expected to find. She put both hands in, and turned it all over in a mo- ment. There was no half-sovereign. "Come here! come here!" she screamed; "the till has been robbed."

"La, Sarah!" cried Deborah—"never!"

"But I say it has; there's not a shilling here but what I have taken to-day."

"When did you look last?"

"Yester e'en at six, and counted half a sovereign and eighteen shillings in silver. What will become of me now? There are thieves about. Heaven knows how the goods go, but this is some man's work."

"Then I wish I had him," said Deborah, and she thrust out her great arms and long sinewy fingers. The words were scarcely out of her lips, and the formidable fingers still extended knuckles downward, when James Mansell, his shirt and trousers covered with blood, was thrust in at the door by Joseph Pinder: his own white dress had suffered by the contact.

Both women screamed at sight of him, and Sarah cried, "Oh, they have murdered him!"

Pinder said, hastily, "No, no, he's none the worse—only a bloody nose."

"Then he is cheap served," said Debo- rah.

"Ay, but let me tell you I came just in time; there were three of them on to him."

"Oh," cried Sarah, "the cowards!"

Mr. Mansell caught at the word "cow- ards." Cried he, "Let's go and fight 'em."

"Not if I know it," said Pinder, stop- ping his rush, and holding him like a vise.

"What, are you turned coward and all? Look here, he knocked 'em all three down like nine-pins."

"Then there let 'em lie," said this ra- tional hero.

"I shan't," said the irrational one. "I'll go and just kick 'em up again, and then—"

But the next process was not revealed, because in illustrating the first Mr. Man- sell sat down on the floor with a heavy bump, and had to be picked up by Pinder and lectured. "What you want just now is not more fighting, but a wash, and then a sleep."

Sarah proposed an amendment—"What he wants most, Mr. Pinder, is a heart and a conscience."

"Is that all?" said the impenitent.

Deborah giggled. But Mr. Mansell had better have kept his humor for a less seri- ous situation. The much enduring wife turned upon him the moment he spoke.

"After all you promised and swore to me this day. Good work and good money brought to your hand by one we had no claim on, either you or I; a good home to come to, a good dinner cooked with loving hands, and a good wife and daughter that counted the minutes till they could see you eating it. What are you made of? You are neither a husband, nor a father, nor a man."

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#### CHAPTER IV.

"HOLD your tongue!" roared the culprit.

But her blood was fairly up, and instead of flinching from him she came at him like a lioness.

"No; I have held my tongue long enough, and screened your faults, and hid my trouble from the world. What right have such men

as you to marry and get children that they hate, and would beggar if they could, as well as their miserable wives?" She put her hand suddenly to her forehead as a keen pain shot through it. "He will drive me wild. If you are a sister of mine, take him out of my sight." She stamped her foot on the ground, and her eyes flashed. "D'ye hear? Take him out of my sight before my heart bursts my bosom, and I curse the hour I ever saw him."

Déborah had bundled him into the parlor before this climax came, and she now got him out of sight altogether, saying, "Come, *Jemmy*—'A wise man never faces an angry woman.'"

As for Sarah, she sank down upon a seat, languid and limp; and after the thunder the rain.

Pinder, with instinctive good-breeding, had turned to go. But now he couldn't. The woman he had always loved, and who had given him so much pain, sat quietly weeping, as one who could no longer struggle. He looked at her, and, to use the expressive words of Scripture, his bowels yearned over her. He did not know what he could say to do her any good, yet he couldn't go without trying. He said, gently, "Don't despair; while there's life there's hope."

She shook her head sadly, and said, gently, "There's none for me now."

"Oh, yes; if that *Varney* could be got out of the way, *he* would listen to reason. He is the wicked one; your man is only weak."

"Where's the odds if they do the same thing? But it is very good of you to make excuses for him."

She then took out a white pocket-handkerchief and meekly dried her eyes; then she stood up and said, in a grave, thoughtful way, which he recognized as her old manner, "Let me look at you."

She took a step toward him, but he did not move toward her. On the contrary, he stood there and fidgeted, and when she looked full at him he hung down his head a little.

"Nay, look at me," said she; "you have done naught to be ashamed of."

Being so challenged, he did look at her, but not so full as she did at him. It was a peculiarity of this woman that she could gaze into a man's face without either seeming bold or feeling ashamed. She never took her eye off Pinder's face during the whole dialogue which follows. Said she, slowly and thoughtfully, and her eye perusing him all the time, "You must be a very good young man. Years ago you courted me honorably, and I was barely civil to you."

Pinder said, gently, "You never deceived me."

"No, but I never valued you. Now that I am older, I have noticed that for a woman to refuse a man makes him as bitter as gall. Dear heart, do but wound his vanity, and his love, such as 'tis, turns to spite directly; but instead of that you have always spoken respectful of me, for it has come round to my ears; and you have held aloof from me, and that was wise and proper, till you saw I was in trouble, and then you came to me to do me a good turn in the right way, through my unfortunate husband. You are one of a thousand, and may God reward you!"

By this time Pinder's eyes had gradually sunk to the ground before the calm gaze and the intelligent praise of one who was still very dear to him.

"Have you done?" said he, dryly, inspecting the floor.

"Yes," said she; "I have thought my thought and said my say."

"Well, I should like to tell you something. It makes a man better to love a good woman, even if he can't win her and wear her. I studied you when you were a maid, and it set me against a many vulgar vices. I have had my eye on you since you were a wife, and that has made me respect you still more, and respect virtue. You have a dangerous enemy in that *Dick Varney*. Against him you want a friend. I seem to feel somehow as if I was called upon to be that friend, and I do assure you, Sarah, that I am not so unreasonable as I was when the disappointment was fresh. I should have been downright happy to-day if things had gone to your mind.

After all, the day isn't over yet, and I've struck work. Is there nothing I can do Drink and Dick Varney can't spoil, confound them?"

Thus urged, and being beset with troubles, and feeling already the rare comfort and support of a male friend, she confessed she had another trouble—a small one, comparatively, but not a small one on the top of the others. She was being robbed. She told him all about it, and with a workman's quickness he asked to see the lock of the till.

He examined this closely, and detected at once, by abrasions in the metal, that it had been opened with a picklock, not a key. He told her so, and she said she was none the wiser.

"I am, though," said he. "It shows that nobody in the house has done it. It's professional. I should not wonder if this was Varney and all. Why he's an old hand at this game, and has been in trouble for no other thing. Does he ever come into your shop?"

"He may. I don't know him by sight."

Pinder reflected. "James Mansell tells him everything, you may be sure, and it's just like the scoundrel to steal in here and rob the wife at home, and ruin the husband abroad."

Then he thought again, and presently slapped his thigh with satisfaction, for he thought he saw a way to turn all this to profit.

"If we can only catch that Varney, and give him five years penal—it won't be less, being an old offender—Mansell will lose his tempter, and then he'll listen to you and me, strike drink, go in for work, and be a much happier man, and you a happy woman."

"Oh, these are comforting words!" said poor Sarah. "But how am I to catch the villain?"

"Others must do that. You go to the police station, see the superintendent, and make your complaint. I'll come after you, and talk to Mr. Steele, the detective; he is a friend of mine, and we will soon know all about it. A drunken thief is as leaky as the rest. But you must keep your own

counsel; your sister has a good heart, but she is a chatterbox, and out every evening in half a dozen houses. I don't like to go with you, because of the blood on my clothes; but if you will start at once, I will change my coat and join you at the station, and bring you back."

Sarah carried out these instructions with her usual fidelity. She ascertained that her husband was lying fast asleep upon the bed; she put on her shawl and bonnet, confided Lucy and the shop to Deborah, and when the latter asked where she was going, said, dryly, "There and back." With that she vanished.

"There, now," said Deborah, "I owe that to you, Mr. Pinder."

"How so?"

"When they have got a nice young man to tell their minds to, they don't waste words on a sister."

"Well, you needn't grudge me," said he. "It's five years since she spoke a word to me." So then he retired in his turn, and Deborah had only the customers and little Lucy to talk to.

The customers of this little shop, accustomed to the grave, modest Sarah, must have been a little surprised at the humors of her substitute.

The first to be astonished was a gamekeeper. He came in spruce, in velvetene jacket and leathern gaiters, from the country. He stared at Deborah, none the less that she happened just then to be whistling a poacher's song.

"Why, where's the mistress?" said he.

"Gone after the master."

"And where's the master?"

"Gone before the mistress."

"I want a pound o' powder."

"Well, money will buy it. What powder? Emery powder, putty powder, violet powder?"

"No, gunpowder, to be sure."

Deborah recoiled. "I wouldn't touch it for a pension."

The gamekeeper laughed. "Well," said he, "you are a pretty shop-woman."

"Oh, sir," said Deborah, coquettishly, "and I'm sure you are a beautiful gamekeeper."

He took a considerable time to comprehend this retort; when he had mastered the difficulty, he said, "Well, let us trade. You'll beat me at talk. Powder isn't loose; it's in a canister."

"Oh," said Deborah, "you seem to know all about it. Where does she keep it?"

"Why, there 'tis, right under your nose."

"Well, I can't see with my nose, can I?"

She took it and put it rather gingerly on the counter. "Now, before it goes off and sends us all to Heaven or Somewhere, what is the price of it, if you please?"

"Oh, the seller sets the price," said he.

"All right," said she. "Ten shillings! See what a lot you can kill with it."

"The mistress always makes it half a crown."

"Ay," said Deborah, "she is a hard woman. You give me a shilling, and I'll only charge you eighteenpence."

While he was counting out the money, a keen whistle was heard. Deborah's quick ears caught it directly. "Is that for you?" said she.

"No; more likely for you."

"All the better. 'Whistle and I'll come to you, my lad,'" said she, directing the invitation out into the street.

"I'd step out and whistle if I thought that," said the gamekeeper, showing his whistle. "Shall I try?"

"Why not?"

" 'Tis a man's part to try,  
And a woman's to deny,  
And now you'd better fly."

for here comes our family sponge. Well, he does shake off liquor quick, I must say that for him."

James Mansell came through the parlor, clean washed and very neatly dressed.

"Mrs. Smart," said he, civilly.

"Mr. Mansell, I hope I see you well, sir. It's you for quick recoveries. Bloody noses is good for the brain, apparently," suggested Deborah, "likewise a little repose after the fatigue of drinking and fighting."

"I did take forty winks."

"Well, sir, and now you are fortified, what's the next order? Another cup of

coffee, warranted to contain a little chicory, and a deal of bullock's liver, acorns, burned rags, and muck?"

"No; after this last experience I've fore-sworn all liquids except juicy meat and rotten potatoes. And I should feel greatly obliged if you would prepare me a nice hot steak, and fry me some onions nice and brown, as you alone can fry them."

"It is the least any woman can do for such a civil-spoken gentleman," said Deborah, and she dived at once into her kitchen, telling him to mind the shop. She little thought that his great object was to get rid of her.

He watched her out, and then went to the shop door and looked out. It was Varney's whistle that had drawn him, and that worthy was waiting, and upon Mansell's invitation came cautiously in. Never was thief more plainly marked on a human being. His little, lank, wriggling body reminded one of a weasel, and his eyebrows seemed to spring from his temples, and meet on the bridge of his nose. The eyes thus framed could not keep still a moment. They were like a hare's ears, in constant alarm. Between this man and Mansell an eager dialogue took place, rapid and low, which nobody heard but themselves. But any one who saw the speakers would feel sure those two were plotting some vile thing.

Something or other was definitely settled, even in that short time, and then Varney, who was ill at ease in that place, invited Mansell to turn out at once.

Mansell objected that he was famished, and dinner was being prepared.

"No, no," said the other; "I won't stay here. You follow me to Buck's dining-room; and mind, no more liquor for me to-day. It will be a ticklish job."

He wriggled away, and Mansell took his hat, and called down the kitchen stairs: "Mrs. Smart—Deborah—please come up here, and attend to the shop. I'm wanted for a job."

Deborah raised no objection, but she resolved on the spot that the steak she had twice prepared for a fool should now be eaten by a rational being, and to make

quite sure of this she would eat it herself. So she put a little cloth on a tray, with the steak and two potatoes, and ran up with it all, and put this savory supper on the flap, and had just made her first incision, when in came one of the little mites I have referred to, intelligible to Sarah alone. The mite rapped the counter with a penny. Deborah left her steak and faced him.

"What can I serve you, sir?"

The mite hammered the counter with his copper.

"Oh, yes," said Deborah, "I see what I am to have out of you; but what are *you* to have for all that money?" Then she leaned over the child. "Is it baccy? Is it soap? It should be soap if I was your mother, you little pig. You won't tell me, eh? It's a dead secret. Let's try another way!" And she put down the likeliest articles one after another. "There! a penn'orth o' baccy for father; a penn'orth o' soap; a penn'orth o' lollipops." The child grabbed the lollipops in a moment and left the copper, and Deborah dashed back to her steak, muttering, "Sally would have known what he wanted by the color of his hair."

There was a run on the shop. For every three mouthfuls of steak a penny customer. Deborah dispatched them how she could, then dashed back to her steak—in vain: it was an endless *va et vient*. The last was a sturdy little boy, who came and banged down a penny, and in a wonderful bass voice for his size cried, "Bull's-eyes." Deborah, in imitation of his style, banged down a ready pennyworth of bull's-eyes, then banged the penny into an iron basin, then dashed back and hacked away at her steak. "Oh, dear!" said she, "I wish a shilling would come in, and then a lull, instead of this continual torrent of fiery, untamed farthing pieces." She hadn't half finished her steak when Mrs. Mansell and Pinder came home.

"How is he now?" was Sarah's first word.

"Sober as a judge, and gone out for a job; and if it is all the same to everybody, I ask just ten minutes' peace to eat my

supper." Then Deborah caught up the tray and fled into the kitchen.

She had not gone long when a detective in plain clothes looked in, and said in a low voice there was news. A female detective had been put on to Varney with rare success. She had listened in the bar of an eating-house, and had picked up the whole story. The kitchen was deserted every night. The servant was out gallivanting. Varney had come in through the kitchen and robbed the till, and to-night he was going to rob the safe or something.

"Now," said Steele, "get my men in without the servant knowing, and then send her out, and we shall nab the bloke to a certainty."

Pinder acquiesced, but Sarah began to exhibit weakness. "Oh, dear!" said she, "thieves, and police, and perhaps pistols!"

Steele whispered to Pinder, "Get her out of the way, or she'll spill the treacle." Pinder persuaded her to go into James's room with the child until they should send for her. She consented very readily. Then Steele let in a policeman, and hid him behind a screen in the parlor. Two more were hidden in an empty house opposite, watching every move. Then Pinder put up the shutters and darkened the shop. Now the question was how to get Deborah out of the house. Pinder had to go and ask Sarah if she could manage that. "In a minute," said she. She came down, and went into the kitchen with ten shillings, and told Deborah she should have her printed gown in spite of them all. Then Deborah was keen to get out before the shops closed, and in due course the confederates heard her go out and bang the kitchen door.

Now there was no saying positively whether Varney was on the watch or not; and if he was, he might make his attempt in a few minutes, or wait an hour or two. And as he was an old hand, he would probably look all round the house to see if there was danger. Every light had to be put out, and the shutters drawn, and the screen carefully placed.

They closed the parlor door, and hid in the parlor.

"But how is my man to get in?" Sarah whispered.

One of the black, undistinguishable figures replied to her, "Easy enough, only I hope he won't come this two hours; he would spoil all."

"Not come to his supper! Then that will be a sign he is not sober. I'm all of a tremble."

"Hush!"

"What! thieves?"

"No; but pray don't talk. He'll come in like a cat, you may be sure. Hark!"

"What is it?"

"The kitchen window," whispered Steele. Now Sarah was silent, but panted audibly in the darkness.

By-and-by a step was heard on the stairs. Then silence—another creaking step. The watchers huddled behind the screen.

What now took place they could only divine in part.

But I will describe it from the other side of the parlor door.

A man opened the kitchen door softly, and stepped in lightly and noiselessly as a cat.

He had a dark-lantern, and flashed it one half moment to show him the place. In that moment was revealed a face with a very small black mask. Small as it was, it effectually disguised the man, and made his eyes look terrible with the excitement of crime. He opened the parlor door, flashed his light in for a moment, then closed the door. That was a trying moment to the watchers. They feared he would examine the room.

Then the man stepped softly to the kitchen door, opened it, and whispered, "Coast clear; come on." Another man came in on tiptoe. The first-comer hauded him the light.

"No," whispered the other, "you hold the light. Give me the key."

Then the first-comer opened the bull's-eye direct on the safe, and gave the second man a bright new key, evidently forged for this job. The safe was opened by the second man. He looked, and uttered an ejaculation of surprise. Then he plunged his hands in, and there was a musical clatter

that was heard and understood in the next room, and the watchers stole out softly.

"Here's a haul!" cried the man. "Come and reckon 'em on the counter. Why, there's more than fifty, I know." He put them down in a heap on the counter, and instantly the parlor door opened, and a powerful bull's-eye shot its light upon the glittering coin. The man stood dumfounded. The other, with a yell, dashed at the kitchen door, tore it open, and received the fire of another bull's-eye from the foot of the stairs. He staggered back, and in a moment was at the shop door and opened it; the key was in it, that James might be admitted if he came. Another bull's-eye met him there, held by a policeman, who stepped in, and bade his mate remain outside.

The shop was now well lighted with all these vivid gleams, concentrated on the stolen gold, and every now and then played upon the masked faces and ghastly cheeks and glittering eyes of the burglars.

Steele surveyed his trapped vermin grimly for a moment or two. He felt escape was impossible.

"Now, Dick Varney," said he, "you are wanted. Handcuff him." The smaller figure made no resistance. "Now, who's your pal? Don't know him by his cut. Come, my man, off with that mask, and show us your ugly mug." He was going to help him off with it; but the man caught up a knife that Deborah had left on the counter.

"Touch me if you dare!"

"Oh, that's the game, is it?" said Steele, sternly. "Draw staves, men. Now don't you try that game with me, my bloke. Fling down that knife, and respect the law, or you'll lie on that floor with your skull split open." The man flung the knife down savagely. "And now who are you?"

The man tore his mask off with a snarl of rage.

"I'M THE MASTER OF THE HOUSE!"

He rang these words out like a trumpet. A faint moan was heard in the parlor.

"Gammon!" said Steele, contemptuously.

"Ask Dick Varney, ask Joe Pinder there," said the man. "Ask anybody."

"Ask nobody but me," said the miserable wife, coming suddenly forward. "He is my husband, sir, and God help me!"

"D'ye hear?" cried the raging villain, mortified to the core, yet exultant in his revenge. "This house is *mine*—this shop is *mine*—that woman is *mine*—and this money is *mine*." He clutched the gold, and put it insolently into his breeches pockets. "Take your hand off that man, Bobby."

"Not likely," said Steele. "A thief caught in the act."

"A thief! Why, he is my servant, doing my business, under my orders—one of my servants. My wife there—she's my servant in law—collared my money and hid it away; I ordered another of my servants to open the safe and get me back my own. He's here by my authority."

"Why were you in masks, my bold blackguard?" asked Steele.

"Oh, pray don't anger him, sir," said poor Sarah. "Yes, James, you are the master. It was all a mistake; we had no idea—oh!" She tottered and put her hand to her brow.

Steele helped her to a chair. So small an incident did not interrupt her master's eloquence. "Respect the law, says you? Pretty limbs of the law you are, that don't know the law of husband and wife."

Long before this Steele had seen plainly enough that he was in the wrong box. "We know the law well enough," said he, dejectedly. "It's a little one-sided, but it's the law. Come, men, loose that vagabond."

"He shall bring an action for false imprisonment."

"No he won't."

"Why not? He has got the law on his side."

"And we have got his little mask, and his little antecedents on ours."

Varney whipped out of the place, and at the same time Deborah opened the kitchen door and stood aghast.

"Come, men," said Steele, "clear out; we

are only making mischief between man and wife, and she'll be the sufferer, poor thing."

"No," said James Mansell, authoritatively. "I'm the master, and since you have heard one story, I'll trouble you to stay and hear the other. I'm the one that is being robbed—of my money, and my wife's affections, and my good name."

"Oh, James!" gasped Sarah, "pray don't say so. Don't think so for a moment."

He ignored her entirely; never looked at her; but went on to the detective: "My wife here hid my money away from me."

"To pay my master's rent, and make his child a lady," put in Sarah.

"And now she and her old sweetheart there—"

"Sweetheart! I never had but thee."

"They have put the mark of a thief on me in this town. So be it. I leave it forever. I'm off to America."

He marched to the street door, then turned to shoot his last dart. "*With my money*," and he slapped his pockets, "and *my liberty*," and he waved his hat.

"But I'll have your life," hissed Pinder, and strode at him with murder in his eyes.

But Sarah Mansell, who sat there crushed, and seemed scarcely sensible, bounded to her feet in a moment, and seized Pinder with incredible vigor.

"Touch him, if you dare!" cried she.

And would you believe it, males, she had no sooner stopped him effectually than she turned weaker than ever, and sank all limp against the man she had seized with a clutch of steel. Then he had nothing to do but support her faint head against his manly breast; and so, arrested by woman's vigor, which is strong for a moment, and conquered by woman's weakness, which is invincible, he half led, half lifted her tenderly back to her seat. This defense of her insulter was the last feat that day of unconquerable love.

The policemen went out softly, and cast looks of manly pity behind them.

Soon after the stunning blow came the agony of an outraged, deserted, and still loving wife. But Deborah rushed in with

Lucy in her arms, and forced the mother to embrace her child, then wreathed her long arms round them both, and they, being country bred, rocked and sobbed together. Honest Joe Pinder set his face to the wall, but there his concealment ended; he blubbered aloud with all his heart.

## CHAPTER V.

THE first burst of distress was followed by the torment of suspense: for several days, at Sarah's request, the friendly police watched the steamboats, to give her an opportunity of appeasing her burglar; and all this time her eye was always on the street by day, her ear ever on the watch for the music of the blackguard's step. She kept hoping something from paternal affection: why should he abandon Lucy? *She* had never offended him.

But in time proof was brought her that he had actually levanted in a sailing vessel bound for New York.

I do not practice vivisection, and will not detail all the sufferings of an insulted and deserted wife — sufferings all the more keen that she was a woman of great spirit and rare merit, and admired for her looks and her qualities by everybody except her husband. Public sympathy was offered her. A Liverpool journal got the incident from the police, and dealt with it in a paragraph headed

### EVERY MAN HIS OWN BURGLAR.

The writer of paragraphs, after the manner of his class, seasoned the dish from his own spice-box. A revolver was leveled at the auto-burglar by the wife's friend; but the wife disarmed him; a circumstance the writer deplored, and hoped that, should "sponsa-burglary" recur, even conjugal affection would respect the inter-

ests of society, and let the bullet take its course.

Pinder read out this paragraph, or paraphrase, and translated the last sentence into the vulgar tongue. Then Deborah revealed in it. Sarah was horrified at the exposure, and indignant at a journal presuming to meddle with conjugalia. To hear her, one would infer that if a blackguard should murder his wife, it ought to be hushed up, all matters between husband and wife, good or bad, being secret and sacred, and all indictments thereon founded obtrusive, impertinent, and indelicate.

A great sorrow has often compensations that do the heart no good at the moment; but time reveals their importance, and that they would have been comforters at the time, could the sufferers have foreseen what was coming. This observation is not necessarily connected with trust in Providence; yet the good, who suffer, should consider man's inability to foresee the events of a single day, and also that they are in the hands of One before Whom what we call the future lies flat like a map along with the past and the present.

Even my own brief experience of human life has shown me the truth and value of these lines, so comforting to just men and women:

"With steady mind thy course of duty run:  
God never does, nor suffers to be done,  
Aught but thyself wouldst do, couldst thou fore-  
see  
The end of all events so well as He."

This story is not written to support that or any other theory; but as all its curious incidents lie before me, I cannot help being struck with the numerous conversions of evil into unexpected good which it reveals.

The immediate examples are these. In the first place, before this great and enduring grief fell on Sarah Mansell, Mr. Joseph Pinder had a natural but narrow-minded contempt for Mrs. Deborah Smart. He saw a six months' widow husband-hunting without disguise. To put it in his own somewhat rough but racy language, she raked the town every night for No. 2. But when lasting grief fell upon Sarah, he



saw this imperfect widow resign her matrimonial excursions night after night, and exhaust her ingenuity to comfort her sister. Sometimes it was rough comfort, sometimes it was the indirect comfort of kindness and attention, but sometimes it was a tender sympathy he had never expected from so rough-and-ready a rustic. Thereupon Pinder and Deborah became friends, and as Sarah was grateful, though sad, this wove a threefold cord—a very strong one.

The second good result was one that even the mourning wife appreciated, because she was a mother, and looked to the future.

Seeing her deserted and in need of help, Joseph Pinder became her servant, and yet her associate. For a fair salary he threw himself into the business, and very soon improved and enlarged it. Tinned meats, soups, and fruits were just then fighting for entrance into the stomach of the prejudiced Briton. Joseph prevailed on the sisters to taste these, and select the good ones. They very soon found that among the trash there were some comestible treasures, such as the Boston baked beans, Australian beef briskets, and an American ox-tail soup; also, the pears of one firm in Delaware, and the peaches of another.

Pinder, who, like many workmen, was an ingenious fellow, had invested his savings in a type-writer, and he printed short notices, and inundated inns and private kitchens with the praises of the above articles, and personally invited many cooks and small housekeepers to the use of his cheap American soup for gravies. "Where," said he, "is the sense of your boiling down legs of beef for gravies and stews and things? Here are six rich stews, or hashes, for 10*d.*, and no trouble but to take it out of a can."

One day Sarah showed him, with sorrowful pride, James Mansell's "panels," as he called them. That personage, before he took to drink, was an enthusiast in his art, and he had produced about fifteen specimens on thin panels two feet square. They were really magnificent. Joseph cleaned and varnished them; then caught a moderate grainer, and made him study

them; then put one or two of them in a window, with a notice: "Graining done in first-rate style by a pupil of Joseph Mansell." The trade soon heard, and gave the young man a trial. He was not up to the mark of his predecessor, but, thanks to the models, and Pinder overlooking his work, he was accepted by degrees, and so Mrs. Mansell drove her husband's trade and her own enlarged. Money flowed in by two channels, and did not flow out for "drink." Pinder's salary was not one-tenth part of the increase his zeal and management brought into the safe, and now there was no drunkard and auto-burglar to drain his wife's purse and tap the till.

In the three years whose incidents I have decided not to particularize, and so be trivoluminous, not luminous, the deserted wife had purchased the little shop and premises in Green Street, and had £400 in the bank, Pinder having declared the London and County Bank to be safer than a safe.

Lucy Mansell was now over seven, and a precocious girl, partly by nature (for she came of a clever father and a thoughtful mother), but partly by living, not with children, but with grown-up people. As she inherited her mother's attention, and was a born mimic, she seemed to strangers cleverer than she was. The sprightliness of Aunt Deborah naturally attracted this young person, and of course she admired what at any young ladies' school she would have been expressly invited to avoid—the by-words and blunt idioms that garnished Mrs. Smart's discourse.

Now, having faithfully though briefly chronicled the small beer, I come to the events of an exciting day.

Sarah sat at the counter, sewing, and ready to serve customers. Lucy sat at her knee, sewing, and ready to run for whatever might be wanted. Deborah came up from the kitchen with a rump-steak and some kidneys in her market-basket, and thrust them under her sister's nose. Deborah was a connoisseur of raw meat, luckily for the establishment, and admired it when good. Sarah did not admire it at the best of times, so she said, "I'll take your word."

"Do but feel it," persisted Deborah. Thereupon Sarah averted her head.

Deborah warmed. "Wait till you see it at table. I am going to make you a steak and kidney pudding."

"Oh, be joyful!" cried Lucy, and clapped her hands.

"Come, there's sense in the family," remarked Deborah; "and if your mother doesn't enjoy it, I give warning at the table—that's all."

"I'll try, sister," said Sarah, sweetly. "But you know an empty chair at the head of the table is a poor invitation to eat, and the stomach is soon satisfied when the heart is sad."

"That is true, my poor Sal; but, dear heart, is there never to be an end of fretting for a man that left you like that, and has never sent you a line?"

"That is my grief. I am afraid he is dead."

"Not he. He has got plenty more mischief to do first. Now I'm afraid you'll hate me, but I can't help it. 'The truth may be blamed, but it can't be shamed.' 'Twas the luckiest thing ever happened to any good woman when he left you, and you got a good servant instead of a bad master."

"If I only knew that he was alive!" persisted Sarah, absorbed in her one idea.

Deborah's patience went, and she let out her real mind. She had kept it to herself about eighteen months, so now it came out with a rush. She set her arms akimbo—an attitude she very seldom adopted in reasoning with Sarah. "If so be as you are tired of peace and comfort, and money in both pockets, you put it in the newspapers as you have bought these premises, and got £400 in the bank, and you mark my words, Jemmy Mansell will turn up in a month; but 'tis for your money he will come, not for you nor your child."

This home-thrust produced a greater effect on Sarah than Deborah expected; for as a rule Sarah merely defended her husband through thick and thin: but now she was greatly agitated, and when Deborah came to that galling conclusion, she drew herself up to her full height, and

said, sternly, "If I thought that I'd tear him from my heart, though I tore the heart out of my body. Perhaps you think because I'm single-hearted and loving that I am all weakness. You don't know me, then. When I do turn, I turn to stone."

As she said this her features became singularly rigid, and almost cruel, and as a great pallor overspread them at the same time, she really seemed turned to marble, and the gentle Sarah was scarcely recognizable. Even Deborah, who had known her all her life, stared at her, and suspected she had not yet got to the bottom of her character. Lucy gave the conversation a lighter turn—she thought all this was much ado about nothing. "Don't you fret any more, mamma," said she. "If papa won't come home, you marry Uncle Joe."

Mrs. Mansell remonstrated: "Lucy dear, for shame."

"No shame, no sin;  
No copper, no tin,"

said Lucy. "Marry him bang! Here he is."

"Hush!" and Sarah reddened like fire.

Pinder opened the shop door, and came briskly in for business. "Good-morning, Sarah; morning, Deborah; morning, little Beauty. Made a good collection this time. Please open your ledger and begin alphabetical. B—Bennett, the new hotel, £3 13s. 6d. There's the money." Sarah wrote the payment of Bennett in the ledger. Pinder went on putting each payment on the counter in a separate paper. "Church, £1 5s.; Mr. Drake, £7 9s."

"That's a he-duck," suggested Lucy.

"You're another, allowing for sex," retorted Pinder. "And now we jump to M—Mr. Mayor."

"That is a she-horse," remarked Lucy, always willing to impart information. Pinder denied that, and said it was the great civic authority of the town, and in proof produced his worship's check for £17 4s. "And now what's the news here?" he inquired.

"I'll tell you," said miss, with an oblig-

ing air. "Mamma and Aunt Deb have just had a shindy."

"Oh, fie!" cried Deborah. "It's you for picking up expressions."

"Then why do you let them fall?" said the mother. "It's you she copies. We only differed in opinion."

"And bawled at one another," suggested Lucy.

Deborah exclaimed, "Oh, for shame, to say that!"

Says this terrible child, "'The truth may be blamed, but it can't be shamed.' You know you did."

"It sounds awful," said Pinder, dryly. "Let us make 'em friends again. What is the row?" and Mr. Pinder grinned incredulous.

"Well," explained Lucy, in spite of a furtive signal from her mother, "mamma fretted because papa does not write; then *she*" (pointing at Deborah, *malgré* the rules of good-breeding) "quarreled with her for fretting, and she said, 'You put it in the papers how rich you are, and he'll turn up directly.' Then mamma bonced up and gave it her hot" (Sarah scandalized, Deborah amused), "and then it ended with mamma crying. Everything ends with poor mamma crying."

Then Lucy flung her arms round her mother's neck, and Pinder suggested, "Little angel."

Sarah kissed her child tenderly and said, "No, no; no quarrel. And do but give me proof that he is alive, and I'll never shed another tear."

"Is that a bargain?" asked Pinder, quietly.

"That it is."

"Just give me your hand upon it, then." She gave him her hand, and looked eagerly in his face.

He walked out of the shop directly, assailed by a fire of questions, to none of which he replied. The truth is he could not at present promise anything. But he knew this much: that Dick Varney had gone out to New York three months ago, and had been seen at a public-house in the neighborhood of Green Street that very day. Pinder got it into his head that

Varney would most likely know whether Mansell was alive or dead. With some difficulty he found Varney. That worthy was dilapidated, so he was induced by the promise of a sovereign to come and tell Mrs. Mansell all he knew about her husband. The sly Varney objected to tell Pinder until he had fingered the money, and asked for an advance. This the wary Pinder declined peremptorily, but showed him the coin.

Thus distrusting each other, they settled to go to Green Street. But when he got to the door, Varney remembered the scene of the burglary, and the woman's distress; he took fright and wanted to go back.

"No, no," said Pinder; "I'll bear the blame of this visit," and almost forced him in.

The family was still all in a flutter, and Deborah bearing her sister company in the shop. Though Sarah had only seen Varney once, his face and figure were indelible in her memory, and at the sight of him she gave a faint scream, put both her hands before her face, and turned her head away into the bargain. "Oh, that man!" she cried.

"There!" said Varney, "she can't bear the sight of me, and no wonder." With this remark—the most creditable he had made for years—he tried to bolt. But Pinder collared him, and held him tight, and for the first time this three years scolded Sarah. "Why, where's the sense of flying at the man, and frightening what little courage he has out of him, and shutting his mouth?"

"No, no," said Deborah, hastily. "If you can tell her anything about the man, don't you doubt your welcome. Let by-gones be by-gones."

"I am bound to answer whatever *she* asks me."

"And I'm bound to give you this, if you do," said Pinder. "Deborah shall hold it meantime." He handed over the sovereign to Deborah. Her fingers closed on it, and did not seem likely to open without the equivalent.

During all this Sarah's eyes had been gradually turning round toward the man,

and by a feminine change they now dwelt on him as if they would pierce him.

"You have been to New York?"

"Yes."

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## CHAPTER VI.

"DID you look for my husband?"

"You may be sure of that, and it took me all my time to find him."

"Find him! He is alive?"

"Alive! Of course he is."

"Thank God! Thank God!"

She was so overcome that Pinder and Deborah came to her assistance, but she waved them off. "No," said she; "joy won't hurt me. Alive and well?"

"Never better."

"And happy?"

"Jolly as a sand-boy."

"A sand-boy?" murmured Lucy, inquiringly.

Sarah's next question was uttered timidly and piteously—"Did he ask after us?"

Deborah cast an uneasy glance at Pinder. She was sorry her sister had asked that, and feared a freezing reply.

"Rather," said Varney. "First word he said was, 'How is Sarah and the kid?'"

"Bless him!" cried Sarah. "Bless him!"

Lucy informed the company that a kid was a little goat.

But her innocence did not provoke a smile. They were all hanging on Dick Varney's words.

"And what did *you* say about us?"

"Oh, well, I could only tell him what I hear of all sides, that you are doing his trade as well as your own. That Joe Pinder is your factotum. That you are as rich as a Jew, and respected accordingly."

"You told him that?" said Deborah, keenly.

"Those were my very words."

"And he didn't come back with you?" she asked.

"No."

"Then he must be doing well out there?"

"I shouldn't wonder; he was dressed like a gentleman."

"And he looked like one, I'll be bound," said his devoted wife.

"He didn't behave like one, then, for he gave an old friend the cold shoulder."

"What a pity!" suggested Deborah—"you that used to set him such a good example."

Pinder said that was not fair, and the man telling them all he could. Deborah said no more it wasn't, and if Mr. Varney would come with her, she would cook him a bit of this nice steak.

He said he should be very glad of it.

"But mind, there's no brandy allowed in this house. Can you drink home-brewed ale?"

"I can drink anything," said he, eagerly.

She showed him into the kitchen, but whipped back again for a moment. "There's more behind than he has told *you*," said she. "I'm a-going to pump him." She ran off again directly to carry out this design, and very capable of it she was: just the sort of woman to wait for him like a cat, and go about the bush, and put no question of any importance till he had eaten his fill, and drunk the home-brewed ale, which tasted innocent but was very heady. This maneuver of hers raised some vague expectations in the grown-up people, but Lucy's mind, as usual, fixed itself on a word.

"Pump him?" said she to Pinder. "How will she do that, *Factotum*?"

"Not knowing, can't say," was Factotum's reply.

"Like this, Factotum?" said she, and took his arm and pumped with it. "Good-by, Factotum," said she, for a new word was like a new toy to her; "I'm off to see the pumping."

Pinder laughed, and looked at Sarah; but not a smile. "Why, you are not going to fret again?" said he. "You gave me your word to be happy if he was alive."

"And I thought I should at the time. But now I know he is alive, I know too that he is dead to me. Alive all this time,

and not write me a line! I insulted him, and he hates me. I'm a deserted wife."

"And I am a useless friend. Nothing I do is any use." He lost heart for a time, and went and took a turn in the street, despondent, and for the moment a little out of temper.

She watched his retiring figure, and thought he had gone for good, and felt that she must appear ungrateful, and should wear out this true friend's patience before long. "I can't help it," said she to herself. "I can love but one, and him I shall never see again."

Never was her sense of desolation so strong as at that moment. She laid her brow on the counter, and her tears ran slowly but steadily.

She had been so some time when a voice somewhere near her said, rather timidly, "Sally!"

She lifted her head a little way from the counter, but did not look toward where the voice came from; it seemed like a sound in a dream to her.

"It is," said the man, and came quickly to her. Then she looked and uttered a scream of rapture, and in a moment husband and wife were locked in each other's arms.

At this moment Pinder, whose momentary impatience had very soon given way to compassion and pity, came back to make the *amende* by increased kindness; and Deborah, who knew every tone of her sister's voice, flew up from the kitchen at her cry of joy. But in the first rapture of meeting and reconciliation neither spouse took any notice of these astounded witnesses.

"My Jemmy! my own! my own!"

"My sweet, forgiving wife!"

"It is me should ask forgiveness."

"No, no! 'Twas the police drove me mad."

"To leave me for three years!"

"Do you think I'd have stayed away three weeks if I had thought I should be so welcome?"

"What! you did not know how I love you?"

Then came another embrace, and at last

Sarah realized that there were two spectators, one on each side of her, and those spectators not so much in love with the recovered treasure as she was. She said, "Come, dearest, joy is sacred," and drew him by both hands, with a deal of grace and tenderness, into the little parlor, and closed the door.

Pinder and Deborah looked at each other long and expressively, and by an instinct of sympathy met at the counter as soon as the parlor door closed, Deborah very red, and her eyes glittering, Pinder ghastly pale.

"Well, Mr. Pinder," said she, with affected calm, but ill-concealed bitterness, "you and I—we are two nobodies now. Three years' kindness of our side goes for nothing, and three years' desertion don't count against him. I've heard that absence makes the heart grow fonder, and now 'tis to be seen."

Pinder apologized for his idol. "She can't help it," said he. "But I can help looking on. I've seen them meet, after him abandoning her this three years, and what I feel this moment will last me all my time. I won't stay to watch them together, like the devil grinning at Adam and Eve; and I won't wait to hear him say that this business I have enlarged is *his*, the trade that he killed and I have revived is *his*, that the woman is *his*, and the child is *his*, and the money we have saved is *his*. No, Deborah, I'll give her my blessing and go, soon as ever I have put up those shutters for her, and it is about time. You will see Joseph Pinder in this place no more."

"What! you will desert her and all?"

"Desert her? That is not the word. I leave her when she is happy. I am only her friend in trouble."

"And not her friend in danger then?"

"I see no danger just at present."

"Think a bit, my man. What has brought him home? Answer me that."

"Well, I can," said he. "There is plenty of attraction to bring any man home that is not blind, and mad, and an idiot."

"Ay," said she, "that is how you look

at her; but it's him I want you to read. Why, it was three years since he left, but it's not a month since that Varney told him she was a rich woman, and here he is directly."

"Oh!" said honest Joe Pinder, "I see what you are driving at; but that may be accidental. Things fall together like that. We mustn't be bad hearted, neither. Why, surely he can't be so base."

"He is no worse than he was, and no better, you may be sure. Crossing the water can't change a man's skin, nor his heart neither, and I tell you he has come here disguised as a gentleman for the thing he came for disguised as a burglar."

Here she tapped the safe with the key of the kitchen door, which she had in her hand, and that action and the ring of the metal made her reasoning tell wonderfully. She followed up her advantage, and assured Pinder that if he did not stay and lend her his support, Sarah would soon be stripped bare and then abandoned again.

"If he does," said Pinder, "I'll kill him, that is all."

"With all my heart," was Deborah's reply. "But you mustn't leave *her*. And then," said she, "'here's *me*. You that is so good-natured, would you leave me to fight against the pair? To be sure, I am cook, and my kitchen is overrun with rats; and one penn'orth of white arsenic would rid the place of them and the two-legged vermin and all."

Pinder was shocked, and begged her solemnly never to harbor such thoughts for a moment.

"Then don't you leave me alone with my *thoughts*," said she, "for I hate him with all my heart and soul."

The discussion did not end there; and, to be brief, Deborah had the best of it to the end. Pinder, however, was for once doggedly resolved to consider his own feelings as well as Sarah's interests. He would go; but consented not to leave the town, and to look in occasionally, just to see whether Sarah was being pillaged.

"But," said he, "if 'tis all one to you, I will come to the kitchen, not the shop."

The ready-witted Deborah literally and

without a metaphor licked her lips at him when he proposed this, so hearty was her appetite for a *tête-à-tête* or two in her own kitchen with this Joseph Pinder; he had pleased her eye from the first moment she saw him.

She said, "Well, so do. 'What the eye don't see the heart don't grieve.' Leave him the shop, and you come in the kitchen."

With this understanding Pinder put up the shutters and went away, sick at heart. Deborah had half a mind to stay in her kitchen, so odious to her was the sight of her brother-in-law; and, besides, she was jealous: however, her courage was a quality that came and went. She was afraid to declare war on the pair, with nobody on the spot to back her. So she temporized; she took Lucy into the parlor to welcome her father. The child said, "How d'ye do, papa?" in rather an off-hand way, and was kissed overflowingly. She did not respond one bit, and began immediately to fire questions: "Why did you go away so long, and make mamma fret? Why didn't you write to her, if you couldn't come?"

Sarah stopped the rest of the cross-examination with her hand, and told Lucy it was not for her to question her father. Deborah never moved a muscle, but chuckled inwardly.

"What will you have for supper, now that you are come?" inquired she, with affected graciousness.

"Anything you like," said James, politely. "Don't make a stranger of me."

That evening the reunited couple spent in sweet reminiscences and the renewal of conjugal ardor.

Before morning, however, they had talked of everything—at all events, Sarah had, and being grateful to Pinder, and anxious to make her benefactor and her husband friends, had revealed the results of Joseph's faithful service and intelligence—the shop purchased, and £440 in the bank.

"At what interest?" inquired James.

"Oh, no interest. I am waiting to buy land or a good house with it."

James laughed, and said "that was En-

gland all over—to let money lie dead for which ten per cent could be had in the United States on undeniable security.”

When once he got upon this subject he was eloquent; descanted on the vast opportunities offered both to industry and capital in the United States; bade her observe how he had improved his condition by industry alone.

“But with capital,” said he, “I could soon make you a lady.”

“Lucy you might,” said she, “but I shall live and die a simple woman.”

Finding she listened to him, he returned to the subject again and again; but I do not think it necessary to give the dialogue *in extenso*. There is a certain monotony in the eloquence of speculation, and the sensible objections of humdrum prudence. I spare the reader these, having sworn not to be trivoluminous.

It was about twelve o'clock next day when Pinder, whose occupation was gone, and *ennui* and deadness of heart substituted, found the time so heavy on his hands that he must come and chat with Deborah in her kitchen. He looked in; she was not there. So then he peeped in timidly at the shop window, and there she was in sole possession of the counter. Her qualifications for that post were as well known to him as to the readers of this tale, so he looked surprised.

“Why, where are they all?”

“In Cupid’s bower,” said Deborah, repeating a phrase out of a daily paper. “Billing and cooing are sweeter than business.”

“Where’s Lucy?”

“You are the first that has asked. Well, she is asleep upstairs. My lady found herself neglected first time this three years, so she came and cried to me, and I took her in my arms and laid her on the bed. She’s all right. Pity grown-up people can’t go to sleep when they like and forget.”

At this moment the parlor door opened, and Sarah Mansell, who had worn nothing but black these three years, emerged, beaming in a blue dress with white spots, and a lovely bonnet, all gay and charming. This bright vision banished Debo-

rah’s discontent in a moment. “Well,” said she, “you *are* a picture.” Sarah stopped to be looked at, and smiled.

“Well,” said Deborah, “he has found a way to make us all glad he is come home.”

Sarah smiled affectionately on her, and said she only wished she could make everybody as happy as she was.

“Why not?” said Deborah, playing the courtier to please her. “And where are you going so pert, I wonder?”

“To the bank, to draw my money,” replied Sarah, gayly.

Pinder and Deborah looked at one another.

“How much of it?” asked Deborah.

“Four hundred pounds,” said the wife, brightly.

Pinder groaned, but was silent. Deborah threw up her hands.

“Oh, Sarah!” said she, piteously, “do but think how long it has taken you to make that, and don’t throw it into a well all at one time.”

Sarah smiled superior. “I affronted him about money three years ago, and you see what came of it.”

She was going out jauntily, neither angry nor in any way affected by her friends’ opposition, when Pinder put in a serious word.

“Well,” said he, “give him a good slice. But do pray leave a little for Lucy. You are a mother as well as a wife.”

She turned on him at the door with sudden wrath, to crush him with a word for daring to teach her her duty as a mother; then she remembered all she owed him, and restrained herself. But what a look flashed from her eyes! and the hot blood mounted to her temples.

Pinder was quite staggered at such a look from her, and Deborah shook her head. They both felt they were nullities, and James Mansell the master again. He let them know it too. He had been quietly listening on the stairs to every word they had said to his wife, and he now stepped into the shop, and took up a commanding position on the public side of the counter, opposite Pinder and Deborah. They were

standing behind the counter at some distance from each other.

It was Pinder he attacked. Said he, quietly, "Are you going to meddle again between man and wife? It didn't answer last time, did it?"

Pinder did not think it advisable to quarrel if it could be helped, so he said not a word.

But Deborah was not so discreet. "Why, you have allowed him to meddle this three years. *You* pillaged and deserted her; *he* interfered, and made her fortune. He doesn't meddle to mar."

Then Pinder spoke, but in a more pacific tone. "I don't want to meddle at all," said he. "But Deborah and I have done our best for you both, and I do think your wife's friends might be allowed to ask what is to be done in one day with the savings of three years." Before these words were out of his mouth Mansell registered a secret vow to get rid of him and Deborah both.

He replied, with the intention of galling them to the quick, "Well, I don't know that the master is bound to tell the servants what he does with his money."

"*Your* money?" snorted Deborah.

"Ay," said this imperturbable person. "My wife's money is mine. I thought I had made you understand that last time. Well, what I am going to do with my money is to invest it in American securities at ten per cent, instead of letting it lie idle in an English bank."

"Oh!" said Deborah. "That is the tale you have been telling her, eh? Well, I mean to tell her the truth. You are going to collar her money and off to America directly. Varney has been here and split on you. You came for the money, not the woman."

She flung these words in his face so violently that even his brazen cheek flushed as if she had struck him; but ere he could reply, Sarah stood aghast in the doorway. "Oh, dear! high words already."

Then James Mansell, who, in his way, was cleverer than any of them, recovered his composure in a moment, and said, quietly, "Not on my side, I assure you.

But this young woman says I have come for your money, not for you. That's a pretty thing to bawl at a man for all the street to hear. Well, Sarah, I don't bawl at *her*, but I put it to *you* quietly—how can I live in the same house with people that hate me, and are on the watch to poison my wife's mind against me?"

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## CHAPTER VII.

PINDER and Deborah both felt they had met their match. Pinder held his peace; but Deborah couldn't. Her lips trembled, but she fought him to the last. "I shall leave this house at one word from my sister; but not at the bidding of a stranger that's here to-day and gone to-morrow, as soon as he has milked the cow and bled the calf." With a grand sweeping gesture of the left arm she indicated Sarah as the cow, and with her right, Lucy as the calf.

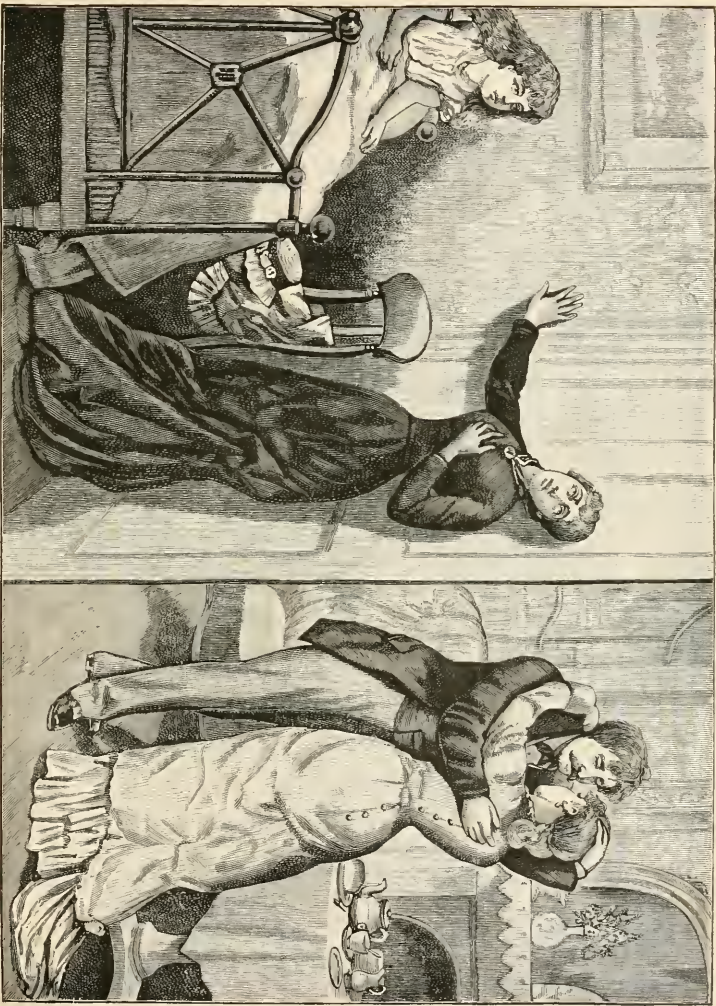
The tremendous words, and the vulgar yet free and large gestures with which she drove them home, made even Pinder say, "Oh!" and so upset Mansell's cunning self-command that he came at her furiously. But Sarah stopped him. "No, you shall not answer her, James. You go and take your daughter on your knee, and I'll tell these two my mind." She was so grave and dignified there was no resistance.

Mansell retired with Lucy, and went up the stairs.

When he was quite gone, Sarah put out her two hands and said, sweetly, "Come here, you two." Then they each took a hand, and their eyes glistened.

She took them gently to task in silvery accents, that calmed and soothed them as they fell. "You have a true affection for me, both of you. Then pity me too, and don't drive me into a corner. Do not make me choose between my husband and you; you know which I *must* choose. Why, dear heart, if I spent my money on my





THE LIMP BODY AND DROOPING HEAD OF THE TRUE WIFE SANK HELPLESSLY AGAINST THE DOOR WITH A STRANGE SOUND.

"WELL, YOU ARE A GOOD HUSBAND; I MUST KISS YOU."  
—*Singehart and Louisa*—



back, you would not grudge it me. Then why not let me please my heart, and give my money where I give my love, that is worth more than £400 if you could but see it."

They were both subdued by her words. Deborah said, in a sort of broken, helpless way, to Pinder, "She doesn't understand."

"What we mean is, that if you part with your money, you will lose your man; but so long as you stick to your money, he will stay with you; and we have both seen how you can fret for him, when he does desert you as well as bleed you."

"Ay," said Sarah, nobly, and without anger. "You mean me well, but you doubt and mistrust, and suspect. No offense to either of you, but your nature is not mine. I am single-hearted. I can not love and mistrust. Nor I could not mistrust and love."

The beauty of her mind and the sweetness of her strong but sober words overpowered her old lover and tender friend. "Don't harass her any more," said he. "She is too good for this world. She is an angel."

Deborah smiled, and after taking a good look at her sister, said coolly, "She is a wonderful good woman; her face would tell one that; but she *is* a woman, you may be sure, like her mother before her. Sarah, 'tis no use beating about the bush any longer. Would you like that £400 to go to another woman?"

"Another woman!" cried the supposed angel, firing up directly. "What do you mean? What other woman?"

"Dick Varney saw him with a woman, and a handsome one."

"Well, what does that prove?"

"Not much by itself; but a man that leaves one woman for three years, at his time of life, is safe to take on with another."

"Oh!" cried Sarah, "don't tell me so."

But Deborah was launched. She said, "It's all a mystery, and against nature, if there's no other woman; but, if there's another, it's all as plain as a pikestaff. Three years' dead silence and neglect—another

woman—you fretting in England—no other man (Mr. Pinder is only a friend)—he jolly as a sand-boy in New York—another woman—*she* wants money (t'other woman always does)—Dick Varney tells *him* you've got it—he's here in one month after that, and the first day he is here he drains the cow. American insecurities?—A Yankee gal!"

This time her rude eloquence and homely sense carried all before them. Sarah, whose face had changed with the poison of jealousy, lost all her Madonna-like calmness. She was almost convulsed; she moaned aloud, "If it is so, Heaven help me!" She put her hand to her bosom, and her beautiful brown eyes half disappeared upward, and showed an excess of white. "Oh, sister, you have put a viper in my bosom—Doubt. It will gnaw away my heart."

"Heaven forbid!" cried Deborah, terrified at her sister's words, and still more at her strange looks. Then she began to blame her woman's tongue, and beg Sarah to dismiss her suspicions with contempt. But this was met by another change, almost as remarkable in its way. "No," said Sarah, with iron firmness, "I could not love and doubt, and live. I'll put it to the test." Deborah looked amazed and puzzled. Sarah walked to the parlor door and called up the stairs, "James, dear, please come here."

"Whatever will she do or say?" groaned Deborah, and began to shiver. Sarah came back to her and said, in a sort of hissing whisper, "Now, since you have taught me to suspect and distrust, and doubt, you must go a little further. I bid you watch my husband's face, and his very body, while I that am his wife play upon him." She hung her head, ashamed of what she was going to do. But Deborah said, roughly, "Won't I? that's all."

James Mansell came in and cast a shrewd glance all round. Deborah's face told him nothing. She wore an expression of utter indifference. Pinder hung his head.

Mansell was now between two masked batteries: his wife's eyes scanned him pointblank, and Deborah watched him—

like a cat—out of the tail of her eye, as Sarah tested her husband.

“James, dear, I have a great affection for my sister, and a true respect for Joseph Pinder, and I owe them both a debt of gratitude.” James looked rather gloomy at that. “But I love you better than all the world. I can’t bear to turn these faithful friends out of the house; they comforted me when I was desolate.” Mansell looked dark again. “And yet I can’t have you made uncomfortable for anybody. So, if my company is as welcome to you as my money, we will go to America together.”

Pinder and Deborah both uttered exclamations of surprise and dismay, but Deborah’s eye never left James. He was startled, but showed no reluctance. He merely said, “You don’t mean that?”

“Indeed I do; but perhaps you don’t want me. You would rather go back alone?”

The four eyes watched.

“No,” said James; “we have been parted long enough. But would you really cross the water with me?”

“As I would cross this room, if you really wanted me.”

“Of course I want you, if we are not to live together here, where your friends hate me. But, Sally, if you are game to emigrate with me, why make two bites of a cherry? We must sell the shop and realize, and settle in the States for life. I’ve no friends here, and you’ll never want to come to England again, when once you have spent a summer in New York.”

Here was a poisoned arrow. Deborah clasped her hands piteously, and cried, “Oh, Sarah!”

Sarah put up one hand to her to be quiet.

“No,” said she, as shortly and dryly as if she were chopping fire-wood, “I’ll not fling my sister on the world nor put all my Lucy’s eggs in one basket. I will risk £400 and no more. I don’t look to find the streets of New York City paved with gold. Money must be lost by one, for another to make it, and the folk out there are as sharp as we are—sharper, by all

accounts. Many go there for wool, and come back shorn. This shop is a little haven for us, if things go wrong out there. These good friends will keep it warm for us. Now I think of it, doesn’t a boat start for New York this evening?”

“This evening!” cried Pinder and Deborah in one breath.

“Ay, this very night—before affection is soured by disputes and love is poisoned by jealousies.” Then she told James to put on his hat and bring her word when the boat started. Lucy and she would be ready; she could pack all her clothes in half an hour, with Deborah to help. Thus the greater character asserted itself at last. She had seen with a woman’s readiness that the present position was untenable for a day, and she had cut the knot with all a man’s promptitude. From that hour she took the lead.

Deborah was wringing her hands, and crying, “Oh, what have I said? What have I done?”

Sarah said, quietly, “Time will show. Please come and help me pack; and, Joseph, put up the shutters; I trade no more this day. Ah, well, I never thought to leave home; but no matter. A wife’s home is by her husband’s side.”

While they were packing, and Deborah’s tears bursting out every now and then, Sarah said to her, a little haughtily, “Well, did he stand the test?”

“Yes,” said Deborah, humbly.

“Do you think he would take me to New York if there was another woman?”

“No” (very humbly).

“But see,” said she, sorrowfully, “what it is to rouse mistrust. I shall sew the notes into his Sunday waistcoat, but I shall not give them to him until we are on the sea.”

Deborah began to say, “And why—” but she got no further. She ended with, “I’m afraid to speak.”

They got the man’s Sunday waistcoat out of the drawer and their quick fingers soon cut a deep inside pocket. Sarah took the numbers of the notes and sewed in the notes themselves. They packed the waistcoat for the time being at the bottom of

Sarah's box. The packing was done two hours before the vessel sailed.

The whole party met again in the parlor—Pinder to bid good-by; but Mansell, to please his wife, I suppose, said, civilly, "No, no; come and see us on board. There let us part friends; the chances are you will never see us again."

These words fell like a knell on the true hearts Sarah Mansell left behind her.

Pinder and Deborah saw the Mansells go down the Mersey, and returned sadly to the house that had lost its sunshine.

That night Deborah, all in tears, begged Pinder not to leave her alone in the house. She said she could not bear to talk of anybody but Sarah; if she went out her friends would chatter about this, that, and t'other.

Pinder was of the same mind, and gladly embraced the proposal. She gave him his choice of Lucy's room or the connubial chamber. He gave a little shudder, and chose Lucy's. He now became the master of the house and the shop, and had plenty on his hands. He taught Deborah the prices of things, and how to weigh and put up goods in paper, and that is an art; and at night he read her a journal or a book, and they talked of Sarah, and wondered and wondered what would be her fate. Deborah thought she would come back in about a year. The £400 would not last longer than that in Mansell's hands, and he would be sure to get hold of it. But Pinder thought she would not return at all. James Mansell was evidently jealous of her friends, and determined to have her all to himself.

There was a very good photograph of her—cabinet size; he took this to Ferranti, and had it enlarged, retouched, and tinted by that artist. Ferranti, who employed a superior hand to retouch these enlargements under his own eye, produced a marvel. It had the solidity and clean outline of a statue.

They had it lightly tinted, especially the eyes and hair, so as not to injure the transparency of the photograph; and there was Sarah Mansell, full size, and all but alive.

It arrived, quite finished, rather late at

night, and Pinder was out; but he opened the case and took it out, and neither he nor Deborah could go to bed for gazing at it. "I never knew how beautiful she was," said Deborah. They actually sat up till two o'clock looking at this reproduction of a good and beautiful face, and they descended on her virtues, and Deborah told incidents of her childhood, and Pinder repeated wise and sober answers from her sweet lips.

Pinder now found himself gliding from bachelor life into half matrimonial. His dinner was always ready on a clean cloth; and a comely woman, a year younger than himself, cooked it, and put on a clean apron and cap to eat with him. They supped together, too. She gave up her nightly excursions after a husband, and was always at his service, and ready to talk to him, or listen to him, or both; for if he read aloud police cases, or other things in which men and women revealed their characters and the broad features of human nature, her comments were as sagacious—especially in relation to her own sex—as if she had devoted her life to the study of philosophy.

Sometimes, too, she had a look of her sister. He never expected to see Sarah any more, and, take it altogether, he was on the road which, by a gentle incline, has often led the victim of a romantic attachment to a quiet union of affection.

When they were fairly out at sea, Sarah brought James his waistcoat and showed him how the notes were secured. "You keep them," said she, "and I keep the numbers."

Mansell's greedy eyes flashed. "Well, you are a business woman; we shall never go wrong together."

The water was like glass for eight days, but then they had a gale, and Mansell was very ill. It was calm again as they drew near the end of their voyage, but Mansell did not regain his looks. When they reached the port he looked ill, pale, depressed, and worried.

They landed, and left their boxes in the Custom House, and James Mansell told

Sarah and Lucy to stay there, while he ran into a neighboring street to see whether his old lodgings—very comfortable ones—were vacant.

She called after him not to be long. "Mind, I am strange here," said she.

"He won't be long, I guess," said a civil officer standing by; then he brought two chairs.

"Thank you kindly, sir," said she. "Lucy, my dear, thank the gentleman." Lucy took the two steps her dancing-master prescribed as essential preliminaries of a courtesy, and then effected a prim reverence—"Thank you, sir."

The gentleman, a tall, gaunt citizen from Illinois, grinned, and struck a bow, with his hat in his hand, at right angles.

Sarah watched her husband take the second street to the right and disappear. Then she took out some work, not to be idle, and Lucy prattled away, all admiration. Never had this brilliant city a more appreciative critic. To be sure she had not learned the suicidal habit of detraction, thanks to which nothing pleases us, and so we pick up nothing.

An hour passed—two hours—James did not come back. Sarah was mortified—then she was perplexed—then she was alarmed. What if he had gone drinking! He seemed exhausted by the voyage. Once this fear took possession of her, waiting there idle became intolerable to her. She begged that civil officer to put their boxes aside for a time, and she took Lucy by the hand and followed in the direction her husband had taken. But as she walked for hours before she found her treasure, I ask leave to go before her to a certain street.

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## CHAPTER VIII.

SOLOMON B. GRACE, the man who was so civil to Sarah Mansell at the Custom House, was, in his way, a rough and

sturdy example of the species Pinder; and on his way to and from the Custom House he used always to stand stock-still for two minutes and gaze at the windows of a house in One Hundred and Fourth Street, that belonged to one Elizabeth Haynes. Two minutes is not long for a busy man to spare to the past, and Solomon had never been detected at the weakness. But to-day Elizabeth Haynes caught sight of him as she put on her bonnet at a glass to go out, and when she did come out at the door, there he was gazing at the windows.

Mrs. Haynes was a handsome, gay young woman, of a genial disposition. She knew very well what Solomon was up to, but useless sentiment was not her line.

"Well," said she, feigning astonishment, "is that you, Mr. Grace, standing there like a petrified policeman?" Solomon was too confounded to answer. "Perhaps you want apartments;" and she pointed to the card in the window.

"Perhaps I wanted a sight of the lady that lets 'em."

"Then why not knock at the door and ask for the lady?"

"Wa'al, I guess rejected suitors ain't always the most welcome callers."

"Why not? If they behave themselves, do you really think any woman hates a man for having been a little sweet on her? Next time don't watch the premises, but walk right in and tell me the news from out West."

"Wa'al," said he, hesitating. "ye see, I don't want no fuss. Now, there's somebody in that house that riles me. He has got a good thing, and doesn't vally it. He gambles away all your money, and he is never at home. You were married to one Illinois man, and he respected you and loved you; and what mad dog bit you that you must go and marry a stranger? You had the whole State to pick from."

"And Mr. Solomon Grace in particular! You forget I'm a stranger myself. I'm not annexed to your State."

Solomon admitted this, but said it was an oversight in the Constitootion.

"Now this," said she, "is why rejected

suitors are not welcome to prudent women and good wives. They must run down the man we have chosen, and behind his back, too, nine times out of ten."

"I'm darned if it isn't mean—as mean as dirt."

This concession seemed so creditable that she invited him to be her beau—as far as the market.

Solomon could not believe his good fortune. She laughed at him, and enlightened him. "Give me a fair excuse, do you think I wouldn't rather have a decent man beside me than take my walks alone? What a bad opinion you must have of woman's sense! I do suppose that gentleman you are named after knew 'em better. To be sure, he had six hundred teachers, poor man!"

"I would give his lot for my one."

"Solomon," said Mrs. Haynes, severely, "flattery is poison, so come on. I won't stand still to be poisoned." So she went shopping, and continued at it long after she had parted with Solomon Grace.

Mrs. Mansell wandered on and on, and then back, to and fro, Lucy prattling gaily, and almost irritating her, until she turned hungry. Then her mother bought her a piece of pie with the only coin in her pocket, but could not eat herself. Night fell, the lamps were lighted; foot-sore, weary, and sick at heart, she could hardly draw her limbs along, and began to ask herself bitterly what she had done to be abandoned again and again by everybody. But in truth she was not abandoned by all; a wise and just Providence was guiding her every step. At last she stopped in despair, and began to speak her mind to Lucy, since there was no one else.

"It is inconsiderate, it is cruel," said she, "and me a stranger in this great city. Why couldn't he take me up with him to look for lodgings? Oh, Lucy, my mind misgives me."

"Sit down on those steps, mamma," said Lucy, with pretty affection.

"Indeed I shall be glad to rest a bit."

She sat down on the doorsteps, and thoughts tormented her she could not

utter to Lucy. This must be their old enemy, Drink. He had looked so pale and exhausted. Oh, if it was! Misery! for the habit once resumed, after so long abstinence, would never be got rid of. Here was a miserable prospect, and in a foreign land as well: no friends to curb him or stand by her. And then, if he got drunk he would be robbed. How lucky she had sewed up the notes in his waistcoat! The money! Another chill thought went through her like an ice-bolt. Why had she parted with it? She had been warned that while she held it she held her husband. It was but a momentary horror. She dismissed that suspicion as unworthy and monstrous, and was ashamed of herself for harboring so base a fear.

Lucy saw the change in her distressed face, and came to a simple, comprehensive conclusion: "Mamma, he is a wicked man."

Sarah was shocked at this from her. "No, no, my child; he is a good man, and your father."

"Then fathers don't love us like uncles do. Uncle Joe would never have left us like this. I wish I had never left home."

Sarah would not say that; but she sighed deeply, and rocked herself, country fashion, sitting on the stone steps.

Mrs. Haynes came back to her tea, and found her in that condition, while Lucy, standing beside her, opened two glorious eyes with sorrowful amazement. For a moment Mrs. Haynes thought they were beggars, but the next her eye took in almost at one glance their dress and neat appearance, and Lucy's ear-rings, pearl and gold.

She asked Mrs. Mansell civilly what was the matter—was she tired?

Mrs. Mansell looked up, and said, sorrowfully, that she was in care and trouble. She had lost her husband.

"What, dead?"

"Nay, Heaven forbid! But we parted on the quay. He went to look for lodgings, and he never came back. I don't know what to think nor what to do, I'm sure."

"Dear me," said the other; "and you a stranger in the country!"

Sarah sighed.

"And it is late for the child to be out."

Sarah gave her a glance of maternal gratitude, and passed her arm round her child at the very idea of any harm threatening her.

Mrs. Haynes looked well at them both, and liked their faces even better than their appearance. She said, good-naturedly, "You had better step in and rest yourselves a while, and then we'll see."

"Thank you kindly, ma'am; I'm sure it is very good of you."

Mrs. Haynes opened the door with a latch-key and led the way to a back room of mixed character. There was a French bed in it, with curtains descending from a circular frame. There was also a chest of drawers, and a sort of plate-chest on them; a large easy-chair, much worn; and a round table, with a white cloth on it—in short, it was an unpretending snuggerly.

"There, take off your bonnets and make yourselves comfortable," said Mrs. Haynes. And while they were doing this, she whispered an order to her maid—her name was Millicent. Then she took cups and saucers out of a cupboard and wiped them herself; and they talked all this while, she and Mrs. Mansell.

A housekeeper's vanity is always on the alert the moment a possible rival comes; so as Mrs. Mansell looked like a person with a house of her own, Mrs. Haynes said, "You mustn't go by this room; mine is a beautiful house, but I take lodgers, and it is so full that I have to pig anywhere. It doesn't matter much, you know, when one's husband is away."

Lucy listened, and informed her mother, with some surprise, that the young lady was married.

"Why, bless the child, I have been married twice. The first was an Illinois man. Ah! he was a husband! This time it is Matthew Haynes, an Englishman. I can't show him you, for he has gone home to draw a legacy, and that takes time." She paused a moment to pour out the tea.

"Are you a New York lady, if you please?" inquired Sarah.

Mrs. Haynes, poisoning the tea-pot in the air, smiled at her simplicity. "No," said she. "Are *you*? Why, we both speak country English as broad as a barn-door. Bless your heart, I knew you for a country-woman the moment you opened your mouth, and I shouldn't be surprised if we came from the very same part. I be Wiltshire."

"And I'm Barkshire, born and bred."

"Didn't I tell 'ee?"

Here Millicent came in with a large dish of fried oysters.

"You don't get such oysters as these in Barkshire, let me tell ye."

"That we don't. I never saw so many all at one time."

The hostess helped them liberally, and the wanderers enjoyed them to the full, and their eyes brightened, and the color came back to their faces, and when, like a true wife, Mrs. Haynes said, "Now tell me about yours," Mrs. Mansell was more communicative than she would have been to an older acquaintance.

"Oh, my man is an excellent husband. Indeed, he hasn't a fault that I know of, except he takes a drop now and then."

"Oh, they all do that at odd times," said the other, carelessly.

"And even that he has given up," said Sarah, earnestly. "Only he was so ill at sea and exhausted like. How else to account for his behavior, I can't think; and you know they are sometimes obliged to take a glass medicinal."

"Ay, that is their chat; and 'tis the only medicine where one glass leads to another. There, don't you begin to fret again. You'll see yours long before I shall see mine." Then she observed that Lucy could not keep her eyes open. So she went farther than she had intended at first; she determined to let them sleep in the house. "Take your bonnets," said she, "and come with me." She opened one of two folding-doors, and showed them into a larger parlor, with a bachelor's bed in it. The carpet was up, and stood in a roll, but everything was clean. "There, this room is let, but not till twelve to-morrow; you must excuse disorder. You put the little



love to bed, and then we will have our chat out. Ah," said she, with a sudden change of manner that was sweet and touching, "I had a little girl by my first husband; she would be about the age of yours if I could have kept her alive; so my heart warmed to yours the moment I saw her standing beside you on my step, and her young eyes full of love and trouble."

Mrs. Haynes cried a little at this picture and her own sad reminiscences, and the happy mother kissed the sorrowful one, and she kissed her in return. Then Mrs. Haynes withdrew and summoned her maid, and she cleared away the things, and then they cleaned the cups and saucers and had a gossip, for Mrs. Haynes must have somebody to talk to. She was well educated, not like Deborah Smart: for all that, she never read a book now, and those who won't read must talk.

The folding-doors were thin, and did not meet very close; the new wood had shrunk; and Sarah, without intending it, heard a word every now and then, but she paid no attention. The first thing the careful mother did was to thrust her hand and arm all down the bed inside, and she instantly resolved not to put her girl into it. She told her she should not undress her. So Lucy knelt at her knee, and said her prayers. When she had done, she asked if she might pray for the good lady.

"Ay do, dear, and so shall I. It's all we can do for her." She pulled down the counterpane, laid Lucy on the blanket, and put a shawl over her. All this time she was thinking, and now her thoughts found vent. "My girl, is it not strange that those who are sworn to stay by us, and we by them, should fail us, and that a lady who never saw our faces before should open her arms and her house to us, because we are strangers in a foreign land? God bless her!"

There was a loud knock at the street door. It was followed by an eager exclamation from the other room: "Oh, Milly! Why, sure that's my husband's knock."

"Oh! I hope it is," cried Sarah, as Milli-

cent and her mistress dashed into the passage.

There was a moment of suspense, and then joyful exclamations in the passage.

"It is, Lucy; I am so glad," Sarah cried.

"So am I, mamma."

"This way! this way!" screamed Mrs. Haynes, pulling what seemed to Sarah to be rather an undemonstrative husband into her little room. "I must have him all to myself." Then there was a long and warm embrace.

Sarah was somehow conscious of what was going on. She sat down by Lucy, and said, a little sadly, "Ay, they are happy, those two." Then, cheerfully, "Well, my turn *must* come."

Sarah Mansell did not hear exactly what was said next, but I will tell the reader.

Mrs. Haynes, who had now turned the gas up, was concerned at her husband's appearance. "La," said she, "how pale you look! Sit down in your own chair." (He staggered a little, but got into the chair all right.) "I'll make you a cup of tea."

"Tea be blowed!" said he, roughly.

Sarah heard that where she sat, with her cheek against Lucy's. She started away from her, half puzzled, half amazed.

"Gimme—drop brandy," said the man, louder still.

Sarah bounded with one movement into the middle of the room, and then stood panting. Even Lucy raised herself on her hands in the bed, and her eyes opened wide.

"I doubt you have had enough of that already," was the reply in the next room. "Why, now I think of it, you must have come by the steamboat eight hours ago. How many have you liquored with before your wife's turn came?"

"I don't know," said he, like a dog's bark, loud and sharp and sullen.

Lucy heard, and slipped off the bed to her mother, full of curiosity. "Why, mamma," said she, "that's—"

Before she could say the word, Sarah closed the child's mouth with her hand almost fiercely; then held her tight, and

pressed the now terrified girl's face against her own body.

All the woman's senses were so excited that she heard through the doors as if they had been paper. And this is what she heard this man say, who was her husband and the husband of the woman that had sheltered her:

"If you *must* know, I was faint and troubled in my mind, and just took one glass to keep my heart up and clear my head, and then one led to another. Never you mind. I'm a good husband to *you*, the best in England—no, the best in New York—the best in all the world; d'ye hear?"

"Yes," said the other wife. "I hear the good news; but please don't bawl it so loud." Then she whispered something.

Sarah caught her girl up like a baby, was at the bed in a moment, laid her on it, and dared her to move with such a look and such a commanding gesture as the girl had never seen before. Then hissing out, "I'll know all if it kills me," she glided back like a serpent to the door. She put her ear to the very aperture.

Matthew Haynes, *alias* James Mansell, lowered his voice. "You don't know the sacrifice, curse it all. One drop of brandy, for mercy's sake."

"Only one, then." She gave him a glass. He gulped it down.

"Ah! It is no use sniveling; I didn't mean to do it this way. But it was sure to come to this. I was in a cleft stick."

"Whatever is the man maundering about?" said Elizabeth. "Oh, cursed liquor!"

The moment she raised her voice he raised his. "D'ye want to wrangle? It isn't for you to grumble! *You* are all right. I'VE GOT THE FOUR HUNDRED POUNDS I WIRED YOU ABOUT!"

He uttered these words, not loudly, but very impressively, syllable by syllable.

And syllable by syllable they seemed to enter Sarah Mansell's body like javelins made of ice. The poor creature shrank altogether at first, and then slowly stretched herself out. Her arms strangely contorted themselves in agony, but at last spread

feebly out, and her hands clutched vaguely, as if she was on a real cross, as well as on a cross of mental anguish; and when, after a few words of explanation, that told her nothing more, the other woman said: "Well, you are a good husband; I must kiss you," the limp body and drooping head of the true wife sank helpless against the door with a strange sound; it was gentle, yet heavy and corpse-like.

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## CHAPTER IX.

DOUBLEFACE, like others who have crime in hand, was startled by a sound the meaning of which he did not know. He thrust away his partner and held her at arm's-length. "What is that?" said he.

"Only my lodger," said Elizabeth. "I'll go and see what she wants."

She stepped toward the door, against which Sarah was lying erect (I can describe it no other way), not insensible, but utterly limp and powerless to move, and indeed conscious that if she moved she must fall headlong. At this crisis Doubleface turned jealous all of a sudden.

"No," said he; "bother your lodgers! I'm the master. Attend to me first. Here, help me off with my coat and waistcoat."

"Now give me my dressing gown. Now my shoes."

At last he rolled into bed. Now Elizabeth Haynes suspected her lodger of listening, and she thought it was too bad. She resolved to catch her.

She took off her shoes and stole on tiptoe from the bed to the door. At the same moment, Sarah Mansell, having nothing more to learn, made an effort to escape from her post of agony. She laid a hand on the projection of the door and tottered a little way; from that to a chair, which she clutched, and just as Elizabeth Haynes turned the door handle she sank

down by the bed, and seizing the clothes convulsively, she sank on her knees, with her arms helpless before her, as the door opened and Mrs. Haynes peeped in. Then that lady thought she was praying, and postponed her examination until the morning.

She was not so far wrong; for the first thing the betrayed wife did, when she had power, was to pray over her fatherless child. She prayed to God for hours, and I think He heard her. It did not appear so at first. In that horrible night she lived a life of agony. She thought of all she had done and suffered for that man, and she was the milch cow, and on the other side that door was the wife.

Three thousand miles from home—a deserted wife. If ever a woman lived a year of torture in a night, she did. It exhausted her body so that she actually fell asleep for half an hour.

She dreamed the events of years; but at last her ever-changing dream culminated in a vision. She saw before her her own little parlor. In it sat Deborah and Pinder looking at a picture. The picture had no features to her, but Deborah's face and Pinder's were quite clear, and beautiful with affection. They said it was *her* picture, as beautiful as herself, and they feared they should never see her again. She dreamed she wanted to comfort them, and say, "You shall—you shall," but her tongue was tied. The two faces then became angelic with affection, and vanished.

She awoke. She came back by degrees to her own misery. But how is this? The anguish that was so keen remains, but no longer pierces, stuns, galls, and maddens. It is blunted, and her heart seems turned to stone.

"Villain—drunkard—thief and traitor!" said she to herself. "All this time everybody knew him but me. I've shed my last tear for him. I've turned against him. I'm a stone."

She turned up the gas and looked at Lucy. This moment she became conscious, then, that Lucy had no longer a rival in her heart.

She resolved to leave the place at once.

Suddenly she remembered the money Doubleface got out of her to make Lucy's fortune, as he said. She stooped over Lucy and kissed her, too softly to wake her. "No, my fatherless girl," said she, "money is nothing to me now, but they shan't rob *you*. You shall have your own, if they kill me."

She sat down quietly, and thought what was the best way to execute the design she had conceived in a moment; and not every one of us would have hit upon the right order of action so well. She began by doing in her own room all that could be done there at all. She put a small table near the gas-light, laid her scissors on it, threaded a needle, and fastened it to her sleeve.

Then she went very softly, opened one of the folding-doors, and satisfied herself that Doubleface and his other wife were asleep. Then she slipped into their room and turned up their gas a very little, found his trousers, and his waistcoat under them, took away the waistcoat to her own room, and left the door ajar.

She brought the waistcoat to her table, cut the stitches, drew them away, took out the bank-notes, and put them in her bosom, all as coolly as possible.

Then she sat quietly down and sewed up the top of the pocket again, imitating the very number of the stitches she had originally put in.

Then she took the waistcoat, went into the next room, and put it back on the chair exactly where she had found it, and laid the trousers on it.

Then, having resumed her own, and no longer caring so very much whether she was caught or not by a man whom she could send to prison for bigamy, she actually drew the curtain back a little, and folding her arms, surveyed the couple steadily with such an expression as seldom looks out of mortal eye. The husband lay on his back snoring loud, as he always did after excess. The other woman he had deceived lay on her side as innocent as a child, and sleeping like one.

The resolute woman who looked on stood there to be cured or die. Her flesh crawled

and quivered at first, but she stood and clinched her teeth, and deliberately burned this sight into her heart, that she might never forget it, nor, by forgetting, be induced to forgive it.

Soon the day dawned, and a servant unbolted the street door.

Then Sarah made Lucy get up in silence, both put on their bonnets, and she took the little girl through the other room, keeping her on her other side, so that she could see nothing, and walked out of the house without a word.

Late in the morning James Mansell awoke from a heavy sleep, and found himself alone in bed. He soon realized the situation drink had blunted overnight, and it frightened him. His thoughts were bitter. How drink had foiled all his cunning!

He had settled in his sober mind to play both women with consummate skill; not to go near Elizabeth in New York till he had settled Sarah in Boston, and stayed with her a month at least. What was to be done now? Why, snatch a mouthful, and then hunt after Sarah and tell her some lie, and fly with her to Boston, and write Elizabeth another lie to account for his departure.

He burst through the folding-doors, and threw them both wide open for air. In the room his haggard face looked into sat Elizabeth, smiling and making his tea, and getting breakfast ready for him; her quick ear had heard him move in the bedroom.

"That's right," said he; "give me a morsel to eat. I must be off to the docks directly for my luggage."

"What, is your money and all at the docks?"

"Not likely. That never leaves me night and day."

"La! then you might show it to me," said she.

"Perhaps you don't believe I have got it?" said he.

"The idea! Of course I believe your word." She filled him a cup of tea, and said no more. It was he who returned to the subject.

"Come, now, you'd like to see it, and make sure?"

"Why, Matthew," said she, "what woman wouldn't that had heard so much about it?"

"Here goes, then," said he, and took off his coat.

"What, in your coat?" said she. "Oh dear! That is not a very safe place, I am sure."

"Guess again," said he. Then he opened his waistcoat, and showed her the inside pocket.

She peered across the table at it, and approved.

"I see," said she. "Who'd have thought a man had so much sense?" On reflection, however, she was not so pleased. "Who sewed it in for you?" said she sharply. "I can see the stitches from here. 'Twas a woman."

"Well, then, let a woman unsew it," was all the reply he deigned; and he chucked her the waistcoat, and went on with his breakfast very fast.

She took the waistcoat on her knee, whipped her scissors out of her pocket, and carefully snipped the stitches—then opened the pocket, and groped in it with her fingers. "Well, but," said she, "there's no money here."

"Gammon," said he, with his mouth full.

She groped it thoroughly. "But I say there isn't," said she.

"Don't tell lies. Give it me."

She gave it him, and watched him keenly, and even suspiciously.

He felt the pocket—groped it—clutched it—turned it inside out: there was nothing.

"What in Heaven is this?" he gasped. "Am I mad? Am I dreaming? It is impossible. Cut the thing to pieces! Tear it to atoms! Robbed! robbed! I'll go for the police! I'll search every woman in the house!" And he started wildly up.

But Elizabeth rose too, and said, very firmly, "You'll do nothing of the kind; there are no thieves here. Now sit down and think."

"I can't; I'm all in a whirl."

"You must. Tell me the name of all

the bars you drank at before you came here."

He groaned, and mentioned several.

"Were there any women about?"

"Plenty at some of them."

"Did you take your coat off?"

"Not likely. I tell you I felt them in my pocket before I went to bed."

"Ah! you thought so, perhaps. Now who sewed them in for you?"

"No matter."

"Who sewed them in for you?"

"The tailor."

"No, Matthew, a woman sewed them in; and a woman sewed the empty pocket up again this last time. It is not a man's work; and, besides, men are not so artful as all that. There's more behind than you have told me," and she fell into a brown-study.

Doubleface took his resolution in a moment. He would go to the docks, wait there till Sarah came for her boxes, and tell her he had been set upon and robbed. Then he would go away with her and work for a month, till she got more money from England.

So he told Elizabeth he would take the police to all those bars, and he went out hastily.

She made no objection; she sat there, and brooded over this strange mystery.

By-and-by she had a visitor—an unexpected one, and one she could speak her mind to on this subject more openly than to her husband.

Sarah Mansell, on leaving that house, asked her way to the Custom House. To her surprise it was very near. All her desire now was to get home. Her heart, always single, turned homeward entirely. Jealousy had tortured her too much. The torture that kills defeats itself, and her anguish had killed love as well as agonized it. And then she had her own special character; for women vary as men do: in some, jealousy preponderates so that they cannot resign an unworthy man who belongs to them to another woman; in others, jealousy, though terribly powerful, is curbed by pride and self-respect. These are the

high-spirited women who will be the only one or none; and note this, the more they love a man, the more they will have him all to themselves, or part with him root and branch: wild horses could not tear them from that alternative. These loving but resolute women belong to no class in society, and are found in every class. Books, journals, education, ignorance, neither make nor mar them. It is a law of their nature, though not the general law.

Sarah found that a steamboat started for England that day. She instantly took a berth for Lucy and herself, and meantime took her boxes away in a cab, lest James Mansell should come and find them there, and wait about for her. She did not fear him one bit; but she abhorred the sight of him now.

She directed a carman to drive her to any good hotel he chose, only let it be a mile distant.

James Mansell came to the Custom House, inquired for her boxes, and found that his wife had removed them and gone to a hotel. The carman who took her had not returned, but a person James had promised to ask him on his return to what hotel he had driven the lady. Then Mansell went back to get some money from Elizabeth, for he had drunk all his loose cash the day before.

The visitor she received meantime was Solomon Grace. He came in rather sheepishly, and began to plead her permission, but she cut all that short very brusquely.

"You come at the right time. I have been robbed of £400."

Then she told him all that had passed between her and Matthew, and Solomon offered his theory, videlicet, that the notes had never existed.

"Well, then, I think they did," said Elizabeth. "But here's my trouble. There's a person I suspect; but I don't like to tell *him*; he might blame me for housing a stranger, and indeed it was a foolish thing of me—there! I gave a night's lodging to an English woman and her child. She said she had come

by the boat, and lost her husband. I am afraid she never had one. Anyway, she slept here in this very room, and, Solomon, while my man was telling me in there he had got me the £400, she came bounce against that door, and I thought at the time she was listening."

"She is the one that did the trick," was Solomon's conclusion.

However, to make sure, he asked if Mr. Haynes had told her where the notes were while the woman was listening.

"He must have," said Elizabeth. Then she thought a bit. "Why, la! no he didn't. She could hear no more than I did, and certainly I didn't know, nor he didn't tell me until this morning, breakfast time. There—she couldn't know unless she had sewn them in, and that's against all reason. It's a mystery; it is quite beyond me."

Solomon puzzled over it in turn. He said there was a good-looking woman sat waiting for her husband best part of two hours at the Custom House, and a child with her.

"A girl?"

"Yes, a girl."

"What had she on?"

"Didn't observe."

"What was the child like?"

"Darkish—beautiful black eyes—a picture!"

"That is them, I shouldn't wonder. You saw no husband, I'll go bail."

"Ay, but I did—saw his back, however. That one is no thief—a plain, honest woman, with a face something between a calf and an angel."

"Indeed," said Elizabeth, "she looked honest; and if her tale was true, it seems hard to suspect her. But it is a puzzle."

Then Solomon Grace summed up the evidence: "He drinks and gambles. One of those ways is enough. Such a man is soon eased of £400 in New York City. I've seen a many drained out here with dice and drink, but I never knew a fool's pocket picked of notes sewn into the lining. Puzzle or not, that's a lie, I swan."

The latter part of this summing up was heard by Mr. Mansell from the parlor, he having slipped into the house the back

way. He came in lowering, and put in his word. "Did you ever know an honest man slip into a house and backbite a man to his wife?"

Solomon turned red with ire and shame, for his position was not a perfect one. "Can't say ever I did, but I've known folk the truth was pison to wherever told."

"And the truth is that you are a discarded lover of my wife's, and a mischief-making hypocrite."

Elizabeth was alarmed, for she knew Solomon could wring this bantam's neck in a moment, and she had no blind confidence in his pacific disposition, though he vaunted it so highly. "La! Matthew, do you want every bone in your skin broken? And, Solomon, you must excuse him for my sake; he is in great trouble. I won't detain you at present."

"That means make tracks," said poor Solomon. "I'm pacific," said he, almost crying with vexation. "I'll go, sartain. I'd better go. But, Britisher—"

"Well, what is it, old Ohio?"

"A word at parting."

"In Chicageese?"

"Every dog has his day. That's English, I rather think."

When he was gone, Elizabeth took a cheerful tone. She told James she did not for one moment believe he had drunk or gambled away £400. "But," said she, "it is no use being angry with Solomon Grace for saying what all the world says." Then after a little while she played the philosopher. "If you gave me my choice, and said, 'Will you have £400 or a sober, industrious husband?' do you think I'd choose the money? Never. So don't let us cry over spilled milk, but just you drop gambling—you don't drink as you used—and we shall do first-rate. The house is full and all the lodgers like me. It always will be full now. Starting was the only trouble. I will undertake to keep you if you will only spend your evenings with me."

James Mansell pretended to jump at these terms, and Elizabeth invited him to go out walking with her in an hour's time.

He agreed with feigned alacrity, and she dressed for the occasion, and they walked out arm in arm, she gay as a lark, he moody and distracted, and attending to her flow of talk only by fits and starts.

Meanwhile Mrs. Mansell and Lucy had a nice wash and a good breakfast, and by-and-by a conveyance was at the door to take their boxes to the boat.

But Lucy was most unwilling. "Oh, mamma," she said, "we have only just come."

"I can't help that," was the dogged reply.

"But everything is so beautiful, and the people so kind: they call me miss!"

"My child," said her mother, "I must go home. Wounded creatures all go home; and I am wounded to the heart. I have nobody now but you: be kind to me."

Lucy flung her arms round her mother's neck. "Oh, mamma, I'll go with you to Jericho."

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## CHAPTER X.

It seemed as if everything was to be smoothed for their going home. At the docks they found Solomon Grace superintending Custom House work, and Sarah beckoned him, and asked him how she should get her boxes on board.

"Going home already! What, without your husband?"

"Sir, my husband has abandoned me."

"What, altogether?"

"Me and my child."

"The miserable cuss."

Having thus delivered himself, he said it was his business to obey her orders. He couldn't leave that spot just then, but if she would give him the ticket, his mate should stow her things in the cabin. This was done accordingly. Meantime he asked leave to put her a question.

"As many as you please," said she, calmly.

"Where did you sleep last night?"

"With a lady who called herself Mrs. Haynes."

"At One Hundred and Fourth Street?"

"I don't know, unfortunately. But since you ask, perhaps you know that Mrs. Haynes."

"I rather think I do."

"That is curious."

"Well, no. I've known her nine years. Why, her first husband was a cousin of mine. When he died I always intended to be number two; only I didn't like to ask her in the churchyard; but that 'ere Britisher warn't so nice; he slipped in ahead of me."

Sarah turned her brown eye full on him with growing interest. "I understand perfectly," said she. "You respected her most because you loved her best."

Solomon stared at her. He was utterly amazed, but at the same time charmed, at this gentle stranger reading him so favorably all in a moment, and reading him right. He asked her a little sheepishly if he might make so free as to take her hand. "You are very welcome, I am sure," said she, smiling calmly.

"I'll tell *you* the truth," said he, "though it's agin myself. I love her still; can't get her out of my head nohow."

"Why should you?" said she, loftily.

Solomon stared at that.

"It's like poor Joe Pinder," said she, half to herself.

"Can't say; don't know the family."

Sarah began to wonder. Presently she scanned him all over with her steady eyes.

"I think," said she, slowly, "it must be my duty to write a note to Mrs. Haynes."

"About her housing you for the night?"

"About that and other things. You know her and respect her; will you give it her?"

"Of course I will."

"Into her own hand?"

"And glad of the job."

"Not into the hands of the man."

"What! her husband—the cuss—not likely."

Satisfied on that point, Sarah said she would like to go on board out of the bustle. She could write the letter in the cabin; it would be a short one. Then Solomon took her and Lucy on board. After some little preparation Sarah took paper and an envelope out of her bag: she had everything ready to write to her sister. She sat down and wrote to the other wife of James Mansell. Solomon Grace had nothing else to do but to watch her, and he did wonder what that thoughtful brow and white hand were sending to the woman he still loved.

It was no simple matter; the English-woman had a difficult task before her. She paused at every line. Her face was solemn, grave, and powerful. So the puzzle deepened. Solomon could see this was not a woman writing merely to thank another for a night's lodging. When she had finished it she folded it and secured it very carefully, and beckoned Solomon Grace.

He came to her.

"You will give this letter into her own hand, and see her read it?"

"I will; who shall I say it is from?"

"Sarah Mansell."

"Oh! Sarah Mansell. You are Sarah Mansell?"

"I am Sarah Mansell." Then she said very thoughtfully, "This Mrs. Haynes, have you a real affection for her?"

"I am a bachelor for her sake, that is all," said he despondently.

She fixed her eyes on him. "Perhaps some day you may be a married man for her sake."

Solomon shook his head. "Is that a conundrum?"

"Well," said she, "the future *is* a riddle. What I am doing now proves that. Who knows? you have been very kind to me. Blessings come to those who are good to the stranger, the fatherless, and the widow. Well, my child is fatherless this day, and I am a deserted wife, all alone on the great sea, with nobody but my child and my God."

Poor Solomon might have told her those two were more than seventy-seven bad husbands, but she went too straight for

the tender heart that lay beneath his breast.

"Don't ye now, don't ye," he sniveled; "you make me cry enough to wash a palace-car. You're not alone, you shan't be alone. Here, little beauty, come and comfort mother. Solomon Grace isn't much, but he'll stand by you till she starts, and then you must just keep your eye square for home, like the jade's figure-head there. You have got friends to home?"

"I have."

"You are loved to home?"

"I am, sir."

"Don't I tell you? They are waiting for you; they are thinking of you."

"They are. I saw them in a vision last night."

"It stands to reason; you was born to be loved."

"I thought so once, sir."

"I think so now, and I'm sure of it. You'd bewitch creation. Why, I'd cut myself in pieces to serve you. Darn me if I wouldn't take you safe to that ar island and hand you to your friends, and then slip back, if it warn't for the letter."

Leaving this good soul to comfort Sarah Mansell till the ship was cleared of strangers, I must go to meet a less interesting couple, who are coming this way.

As James took the walk merely to please Elizabeth, he went wherever she chose. They called at a provision shop and bought the things he liked. Elizabeth was handsome, and well dressed, and many admiring glances were cast on her. Her companion's vanity was tickled at this. Only what rather spoiled the walk was that he longed so at that very moment to be raking the town for the other.

Presently they came out in sight of the quay, and James began to fidget again. He burned to get away from his companion to see if his agent had news of Sarah, and, besides that, he had a dread of open spaces. They facilitate surprises. Sarah might see him from a distance walking with Elizabeth. This extreme uneasiness did not escape the latter. "Why, what is the matter with you now?" said she. "You



keep looking about as if you had done something, and expected the police to pounce on you from every corner."

"You wouldn't be easy if you had lost £400 and couldn't tell how."

"Yes, I would, if I could do without them. They were for *me*, but I don't fret, and why waste another thought on them, my dear?"

At this moment the steamer's bell rang. "There now," said Elizabeth kindly, "stay and see the boat start."

"Lend me a couple of dollars," said he. She gave it him directly. "Wait a bit for me here," he said, and Elizabeth seated herself in a sort of pleasant waiting-room near the main entrance to the piers, and waited.

He darted into a shop and replenished his flask. Then he ran to find his agent, and got from him the name of the hotel Sarah Mansell had gone to. He was eager to go there at once, but dared not. Elizabeth had a temper. Doubleface was fairly puzzled between the two. However, it was only postponed for an hour. Elizabeth, with her house full of lodgers, would not be out more than that, and then he would fly on the wings of penitence to Sarah, and not leave her for the other till he had humbugged her thoroughly and eradicated all suspicion.

So he came back to Elizabeth. She was sitting there quite at ease. "Curse it," said he, "she must go home."

But now ropes were cast off, and every preparation made for the vessel leaving. This is admirably managed in New York. The largest steamboat just glides away into the Atlantic like a river boat starting upon the Thames.

"Ah," said Doubleface, tormented by the situation he had created for himself, "I wish I was going in you—alone." He stepped forward and saw her move away. She lay against the quay amidships, but she was so long that it took a minute before her aftercabin came opposite.

A woman, who had caught sight of James Mansell, but hidden herself till then, rushed out upon the poop, followed by a girl. She whipped a packet of notes

out of her bosom, and brandished them high in the air to him, then drew her child's head to her waist.

That is what she did. But how can words convey the grandeur of those impassioned gestures, the swiftness of their sequence, and the tale that towering figure and those flaming eyes told to the villain and fool who had possessed her, plagued her for years, and hit upon the only way to lose her.

He started back, bewildered, blasted, terrified, and glared after her in stupid dismay.

While he stood petrified, a voice hissed in his ear, "You know—where—your—notes—are—now!"

It was Elizabeth at his shoulder, but a little behind him. Doubleface turned slowly, aghast with this new danger. He gasped, but could not articulate.

Elizabeth laid her right hand on his shoulder, and pointed to Sarah with her left. "Why, that woman is shaking them in your face!" Then she took him by both shoulders and turned him square to her. "Your face, that is as white as ashes!" In this position she drove her eyes into his, and clutched him firmly. "What is there between that woman and you? She has taken your money, yet she is not afraid. She vaunts it, and it's you that tremble. Oh! what does this mean?"

In her excitement she had grasped him so firmly that her nails hurt him severely through his clothes, but now that clutch relaxed, and she felt weak.

"What does this mean?" she repeated.

The other creature, accustomed to lie, now tried to escape, hopeless as it seemed. He stammered: "I don't know. I saw a woman shake something or other at me—was it at me?"

"Who else?"

"I fancied she looked past me, somehow. Where were you?"

"Behind you at the door."

"Could it be to you?" The desperate wretch hardly knew what he was saying. To his surprise this bold suggestion told.

"Why, of course it *might* be to me."

He seized this advantage artfully. "More likely to neither of us," said he; "and yet I don't know; since I came home everything that happens is a mystery."

"That is true, and I suppose I shall never know the meaning of it all."

"I'm as much in the dark as you are," said he, "and you can believe me or not, as you like." Then he took a step or two away to show her he was disposed to quarrel with her. That answers sometimes when a body is in the wrong.

This stroke of policy left room for a third figure to step in between them, and that position was promptly taken by Solomon Grace.

"Letter from Sarah Mansell."

Doubleface turned with a yell, and made a grab at the letter. Solomon, who was holding it out with his right hand toward Elizabeth, stopped the rush with his left, and mocked the attempt. "Noy'er don't," said the stalwart giant. "I'm under Mrs. Sarah Mansell's orders as this letter is not to be intercepted by any darned cuss whatever, but guv into the hands of Mrs. Haynes, and read before me to make sure."

Elizabeth stared, but hesitated to defy her husband before Solomon Grace. "But I don't know her," said she, looking at the letter in Solomon's hand.

"Yes ye do—it's the lady that slept at your house last night."

Elizabeth uttered a little cry and panted. She almost snatched the letter now, and said, "Then she did listen at the door."

"Like enough," said James. "Then of course she'll know what to say to set us all by the ears."

"Yes, but," said Elizabeth, "she knows more than you ever told me that night. She knew where to find those notes—ay, those that hide can find. My fingers tremble; open it for me, Solomon."

He opened the letter, and handed it to Elizabeth, and dared James Mansell to interfere. Elizabeth read the letter very slowly, and piecemeal—read it how she could, indeed; for her turn was come to have her bosom pierced:

"MADAM—You and I are both unfortunate. You are betrayed, and I am deceived. If I tell the truth, I must pain you; if I withhold it, he will deceive you still.' Oh, what is coming? said poor Elizabeth. 'The man that passes for Matthew Haynes'—she stopped and looked at him, and read again—" 'passes for Matthew Haynes—is James Mansell—my husband!'" (The reader held out her hand piteously to Solomon Grace; he supported her, and she held on to him, and that seemed to give her more power to read on.) "'We were married at St. Mary's Church, Glo'ster, on the 13th of July, 1873.'"

"That's a lie!" said James.

"It does not read like one," was the dogged reply.

"In 1878 he robbed me of my savings, and went to America. Last month one Varney from Liverpool told him I had money. He came for it directly, and took me with it—it was £400—sooner than not have it at all. Dear madam, I could not let my child be robbed.' There, I knew it—she took back her own. 'But James Mansell is yours if worth keeping.' Are you worth keeping? 'My door he never enters again. But if ever *you* should be as desolate as I was on your steps that bitter night, my home is yours. God help us both!

"SARAH MANSELL,

"13 Green Street, Liverpool."

"That is as clever a lie as ever woman told," said James Mansell.

Elizabeth replied: "It is God's truth! Sunshine is not clearer. So, then, I never had but one husband." She put both hands to her face and blushed to the throat. "You were his friend. Take me home." She clung piteously to Solomon. Then she turned to Doubleface. "In one hour my servant will give you your clothes on my doorstep. My door you never enter again."

"Mind that!" said the Illinois man. "I shall be there. 'Every dog has his day!'" With the word he tucked the resolute but trembling Elizabeth tight under his arm, and took her home.





HE STARTED BACK, BEWILDERED, BLASTED, TERRIFIED, AND GLARED AFTER HER IN STUPID DISMAY.

—Singleheart and Nonblufface.

Doubleface cursed them both as they retreated. Then he rushed to the water-side, and the steamboat was now all in sight, and Sarah Mansell still visible, standing over her child, with her eyes raised to Heaven.

Then the fool and villain raged and raved between the two superior women he had deceived and lost. Both too good for him, and at last he knew it—both in sight, yet leaving him forever, and he knew it. He raved; he cursed; he ran to the water's edge. No, he had not the courage to die. He took out his flask and went for comfort to his ruin—he drank neat brandy fiercely.

Then fire ran through his veins. He began not to care quite so much. He drank again. Aha! He was brave. He defied them. He drank both their healths in brandy. He vowed to have two more as good as either of them. He drank on till his eyes set and he rolled upon the pavement. There the police found him dead drunk, and held a short consultation over him.

“Police cell?”

“No—hospital.”

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## CHAPTER XI.

JOSEPH PINDER and Deborah Smart kept the home and the little shop, and were on those terms of gentle fellowship which often lead to a closer union when some stronger attachment ceases to interfere. When a month had elapsed they began to be very anxious to hear from Sarah; and one evening Pinder said if she had written the day she landed, or even the day after, they ought to have had a letter that very day.

“Oh!” said Deborah, “he won't let her write to *us*. That is my trouble now—we shall never know whether she is dead or alive.”

Pinder could not bring himself to believe that; so then they had a discussion. It was interrupted by the rattle of a fly drawing up at the door. Wheel visitors were rare at that house. Deborah thought the man had drawn up at the wrong door; Pinder said he would go and see; a knock at the door settled the question. Pinder opened it, and there, full in the gaslight, stood Sarah Mansell and Lucy. Pinder uttered a loud exclamation. She gave a little sign of satisfaction and put both hands on his shoulders. “Yes, my good Joseph, here we are, thank Heaven! Oh, sister!” and she stopped Deborah's scream of amazement and delight by flying into her arms. The cab was paid, the boxes taken into the parlor, and then Sarah and Lucy were inspected and cuddled again.

Then came a fusillade of questions. “But what brought you back so soon? Did he change his mind? I never thought he would let you come back at all. And looking like a rose; you are properly sun-burned; but it becomes you—everything becomes my sister. Here's your picture; it has been our only comfort. Aren't you hungry after your journey?”

“Indeed I am.”

“Bless you! And I could almost bless him for bringing you back in such health and spirits. There, you go upstairs and make yourselves comfortable; your supper shall be ready in ten minutes. Oh dear! I don't know whether I'm on my head or my heels for joy.”

In due course the cloth was laid for five and supper served.

“Will he be here to supper?” asked Deborah with a laughable diminution of ardor.

“No.”

“That is odd. Of course he will sleep here?”

“No.”

At this Deborah and Pinder sat open-mouthed, and could hardly believe their senses. Sarah, brimful of health and in good spirits, yet her husband not with her. He could not be far off, thought Deborah.

“He is in Liverpool?”

"No."

"Then he is coming by next boat?"

"No."

"Well, I never."

"Let us welcome her, not question her," suggested Pinder; "she will tell us all about it when she chooses. It is enough for me to see her looking so well and so happy."

"Happy—because I am at peace, and because I have got back to two dear friends. Ah! I saw you both in my dream, sitting over that picture there and saying, 'We shall never see her again.'"

"Oh, gracious Heavens! and so we did," cried Deborah.

"I was sure of it," Sarah replied, "the vision was so plain."

Deborah's curiosity burned her; she could not help putting questions directly or indirectly. Sarah parried them calmly; then came a practical and somewhat delicate question. Deborah approached it indirectly.

"Since you went I was afraid to be alone in the house, and Mr. Pinder he has slept in Lucy's room."

Sarah saw at once what she would be at, and said, "Pray make no change for me. Lucy will sleep with me in the best bedroom. We shall both prefer it, shall we not?"

"Oh, yes, mamma! I like to be with you day and night."

Deborah was charmed at the arrangement, and so was Pinder; he had expected to be politely consigned to some other dwelling. Deborah, however, must try once more to draw her sister.

"This is a blessed state of things," said she, "but I am afraid 'tis too good to last. He will drop on us some day, and turn us to the right-about."

Sarah would not utter a syllable in reply, and wore an impassive countenance, as she took no interest whatever in the speculation. It must be confessed this was enough to exasperate curiosity. "Well," said Deborah, in despair, "will you answer me one thing? Has he collared the money?"

Sarah put her hand to her bosom and

produced a bundle of notes. "It is all here except the traveling expenses," she said, calmly.

"I am glad of that," said Pinder; "and, for pity's sake, don't question her any more."

Sarah smiled. "Don't be hard on her, Joseph," said she. "She must ask questions, being a woman, and one that loves me. But I'm not bound to answer them, you know."

"If she won't bear to be questioned she shall go to bed, for I am dying with curiosity. Aren't you, Mr. Pinder? Now tell the truth."

"Well, I am," was the frank reply. "But I don't want to know everything all in a moment. I'd rather have her here and know nothing more than know everything and *not* have her."

Deborah acquiesced hypocritically, because she had just remembered she could get it all out of Lucy. That young lady now showed fatigue, and the little party separated for the night.

"One word," said Deborah to Sarah in her bedroom. "Give me one word to sleep on. Are you happy?"

"Sister, I am content."

Deborah pumped Lucy. Lucy, to her infinite surprise, pursed up her lips, and would not say a word.

Her mother had made her promise most solemnly not to reveal anything whatever that had happened to them in New York.

Deborah writhed under this, but Pinder made light of it, and really there was plenty to balance the want of complete information. Sarah resumed her business; he was once more her associate, and his jealousy was set to sleep.

Her husband was not there, and no longer filled her thoughts. She never fretted for him; indeed, she ignored the man. The phenomenon was new and unaccountable, but certain. Joseph Pinder threw himself with more ardor than ever into her service, and persuaded her to seize an opportunity, and rent larger and better-situated premises in a good thoroughfare. Here their trade was soon quadrupled, and Sarah Mansell was literally on the road to

fortune. By-and-by Lucy's health failed. It was "Pinder to the rescue" directly. He took a little villa and garden outside the town, and there he established Deborah and Lucy with a maid-servant. Sarah slept there. Pinder had a room there, but generally slept on the old premises.

All this time he was making visible advances in the affection of Sarah Mansell. Indeed, that straightforward woman never condescended to conceal her growing affection for him. The change was visible on the very night of her arrival; but now, as the months rolled on, her innocent affection and tenderness for the friend who had suffered for her, and loved her these ten years, grew and grew.

Deborah saw it. Lucy saw it. The last to see it was Joseph himself; but even he discovered it at last with a little help from Deborah. In truth, it was undisguised. The only mystery was how it could be reconciled with her character, for she was a wife, and the most prudent of women. Then why let Joseph Pinder see he was the man she cared for—and the only one? However, one day the exultant Joseph found there were limits. In the ardor of his affection he went to kiss her. She drew back directly. "Please don't forget I am James Mansell's wife." And for a day or two after that her manner was guarded and reserved. This was a warning to Mr. Joseph Pinder. A full and sweet affection visibly offered, but passion declined without a moment's hesitation. Joseph was chilled and disappointed for the moment, but what he had endured for her in less happy times reconciled him to the limits she now imposed. The situation was heavenly compared with those that had preceded it, and above all he saw nobody to be jealous of. He had also little auxiliary joys in the affection of Lucy and Deborah. These two, as well as Sarah, loved, petted, and made much of him.

How long this placid affection and sweet tranquil content—the most enduring happiness nature permits, if man could but see it—might have endured, I cannot say, for it was cut short about ten months after

Sarah's return by a revelation that let in passion and let out peace.

They did now a brisk trade with the United States; and one evening a new agent came from New York with liberal offers. This man happened to be a gossip and a friend of Solomon Grace. "Mansell!" said he (the name over the shop). "I could tell you a queer story connected with that name."

"It's not an uncommon name," said Pinder. "Was it James Mansell?"

"No; it was a woman—a Mrs. Mansell. My friend Grace's wife—that is now—found her seated on a doorstep with a little girl; she said she had missed her husband. Mrs. Grace—at least, Mrs. Haynes she was then—asked her in, and liked her so well she gave her her supper and a bed. Presently home comes Mr. Haynes, her husband, quite unexpected. They had a hug or two, I suppose, and talked of their family affairs. And it seems this Mrs. Mansell listened, for next day this Haynes, as he called himself, missed £400 sterling that was sewed inside his pocket. There was a row; one said one thing, one said another. Then—let me see—what's next? Oh, I remember! what do you think? Mr. and Mrs. Haynes were watching the steamboat starting for England. Doesn't Mrs. Mansell step on deck all of a sudden and shakes the missing bank-notes in both their faces—"

"Capital!" roared Pinder. "Go on! go on!"

"And it turned out she had only taken back her own, for this Haynes was no Haynes at all, but one Mansell, if you please, and had been taking a turn at bigamy."

"The scoundrel! Now I see it all."

"However, it didn't pay. Both the women sacked him, and Mrs. Haynes's friends wanted to imprison him. But Solomon Grace said, 'Don't let's have a row. Marry me.' Mind, he had always been sweet on her. So she married him like a bird. Why, you seem quite fluttered like. Do you know the people?"

"I do. This very shop belongs to that

same Mrs. Mansell. Do tell! How things come about!"

"But of course the story is no news to you?" said the agent.

"Yes it is. She never mentions his name."

"No wonder. It must be a sore subject."

"Where is the villain? What has become of him? Any chance of his coming over here?"

"How can I tell?"

You may imagine the effect of this story upon Pinder. He went out to the villa hot with it, and glowing with love and pity for Sarah and rage at her husband. But during the walk he cooled a little, and began to ask himself if he ought to go and blurt out his information.

Sarah must have some reason for withholding it so long. Why, of course she was mortified, and would not thank him if he went and published it. Herein he misunderstood Sarah's motive—it was more profound, and the result of much thought and forecast. However, she will speak for herself. As for Pinder, he took a middle course: he confided it to Deborah, stipulating that she should feel her way with Sarah, and see how she could bear the truth being known.

Deborah acted on these instructions. But Sarah broke through them all in a moment, and told her the whole truth.

Next morning after breakfast she spoke privately to Pinder.

"So you have heard something about what parted James Mansell and me forever?" (She had divined at once it must have come through Pinder.)

"Yes, Sarah, to tell the truth, I have."

"Well, Deborah will tell you the whole story. It is not a matter I care to talk about."

"I would rather have heard it from you than from a stranger. Did you doubt whose side I should be on?"

"No, Joseph, not for a moment. If you must know, it was entirely for your sake I kept it to myself."

"For my sake? Why, it only makes my heart warm a little more to you. To

think that such an angel as you should ever be deceived and pillaged!"

"And cured. Believe it or not, I am thankful it happened, and almost grateful to the man for undeceiving me before I wasted any more affection on such a creature. No, Joseph. I am single-hearted, as I always was, and my heart turned to you before ever you saw my face this time, and I kept that cruel story locked in my bosom for your sake. Ah, well! I was not to have my way. You know my condition now—neither maid, wife, nor widow—and I am afraid it will unsettle your mind, and this will not be the happy home it has been."

She sighed as she said this. He smiled at her wild apprehensions. But she was wise, and one that knew the heart of a man, and had forecasts.

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## CHAPTER XII.

THE only difference it made at first was a slight increase of sympathy and respect on the part of Joseph Pinder. But this was followed by a more manifest ardor of devotion, and this in due course by open courtship.

Sarah thought it due to herself and her position to curb this. She did so with admirable address—sometimes playfully, sometimes coldly, sometimes firmly, always kindly; yet with all this tact the repeated checks made Pinder cross now and then.

She was sorry, but out of prudence would not show it. It ended in his begging pardon, and in her saying she did not blame him; it was the natural consequence of her situation, now that situation was declared.

As nothing stands still, this went on till the very thing Sarah had foreseen came to pass. The man, after so many years of self-restraint, and so many good offices



done, found himself at last rewarded with affection only. *That* was so sweet that, instead of satisfying him, it enticed him on; he longed to possess her, and asked himself why not. It was no longer either wrong or impossible. He implored her to divorce James Mansell and marry him. She received the proposal with innocent horror. "For shame!" she said—"oh, for shame!" and turned her back on him, and would hardly speak to him for some hours.

He took the rebuff humbly enough at the time. But afterward he consulted his friends, and they sided with him, and he returned to the charge. He pressed her, he urged her, he coaxed her, he did everything except remind her of his own merits (and her own heart supplied that omission), but she would not yield. And the provoking thing was, she would not argue. Her old-fashioned religion and her old-fashioned delicacy despised reasoning on such a matter. He might almost as well have offered her reasons for bigamy. She was prejudiced and deaf to logic. The next time he attacked her she showed distress. "Ah," she said, "I foresaw this. Now you know why I kept my sad story to myself. I know the value of peace and pure affection, and I know that you or any man would demand more than I can give. I don't blame you, dear; but you will not forgive me; it is not likely." Her tears, the first he had ever made her shed, melted him. He kissed her, and begged her to forgive him. She sighed, and said, "I suppose it is no use telling you what it costs me to deny you. You will never be easy now, but will never move *me*. I can't help it. I must trust in God."

Joseph Pinder told his friends it was no use; he couldn't move her; he only tormented himself and made her unhappy. Then one of them laughed in his face, and told him he was loving the woman like a calf and not like a man. "If she is really fond of you, be her master. She'll like you all the better, whatever she may pretend. You cut it for a year or two, and let her find out what you are worth."

Another told him he was being humbugged and made a convenience of. The

woman was secretly hoping her husband would come back and eat humble pie. So what with passion, the sense of long service, instilled distrust, and wounded vanity, Joseph Pinder, after disquieting himself and Sarah in vain for six months, resolved to *make a change*. One Saturday night he packed up his carpet-bag, and announced that he should go next morning to Manchester, and thence to London.

"For how long?" asked Sarah anxiously.

"Well, Sarah, for good, unless something happens."

Sarah said nothing; she understood in a moment that he intended to make a last attempt, and to go if she refused.

Next morning she went to church just as usual, and Joe Pinder awaited her return—with his ultimatum.

However, his feelings were subjected to some little trials before she came home.

It was a glorious day.

Lucy and Deborah sat out in the little garden. He finished packing his bag, and then went down to say a last word to them. He found Deborah with red eyes, and silent too—very unusual things with her. She and Lucy had evidently been talking the matter over, for Lucy asked him plump why her mother would not marry him. He replied, sullenly, "Because I don't deserve it, you may be sure."

"That is a fib," said Lucy, severely. "Well, if she won't, you had better marry me. Anything is better than being cross."

"You must grow up first," suggested Deborah,

"Or I must grow down," said Pinder.

Then he took Lucy on his knee, and being in no humor for jest, he said, "I had set my heart on you for a daughter. A wife I might find, but a daughter like you, all ready to love me—a regular rose-bud! Ah, well!"

Lucy, precocious in all matters of sentiment, gushed cut directly, "You shall, you shall. Why, now I think of it, I want a father. I never much liked the other one. But I like you, Uncle Joe—I mean Father Joe. There, I love—I adore you." She spread her arms supernaturally wide, and

threw them round his neck with an enthusiastic rush.

"Little angel!" said the affectionate fellow. "Well, Lucy, I'll try for you, but I suppose it is no use. Yes, Deborah," said he, "I'll go for my bag, and a few minutes will decide."

Deborah could not blame him, for she knew that, if she'd been a man, she could not have been so patient as Joe Pinder had been. There was a wicket-gate at the back of the garden, and Sarah now appeared at it. She had risen in the world. Both she and Deborah were dressed in rich black silk dresses, but with no trimming or flounces. Being tall, they showed off the material all the more. Sarah had a white French bonnet and neat gloves, but, relic of humility, she carried her prayer-book in her hand.

Deborah sent Lucy indoors, and went to meet her sister. "Oh, Sarah," she said, all in a hurry, "do mind what you're about. Joe Pinder's blood is up. I think it is his friends that jeer him."

Sarah sighed, "What can I do?"

"You can't do nothing, but you can say a deal. Why, what is a woman's tongue for? Tell him anything, promise anything. La, I wish I was in your place—he should never leave me!"

Before Sarah could answer, Pinder appeared at the door with a large carpet-bag. He put it down on the steps. Deborah ran to him.

"Oh, Joseph," she said, pathetically, "what should we do without thee? And look at the garden—not a flower but you planted, and 'twas you laid the turf. Joe, dear, don't believe but she loves you with all her heart. She never could love two since she was born, and you are the *one*."

"That remains to be seen," said the man firmly; and he looked so pale and so dogged Deborah had little hope he would give in. He came to Sarah; she was seated in a garden chair waiting bravely for him. He stood in front of her. "I've come to know your mind, once for all."

"I think you know my mind," she said, gently, "and I'm sure you know my heart."

"No, Sarah, I don't, not to the bottom."

"Perhaps not. Women-folk were always

hard for men to understand. Never heed that. Speak your own mind to me, dear Joseph."

And Pinder said he was there on purpose. "But first," said he, "let me put a question to you. I'm almost ashamed to, though."

"It is no time to be afraid or ashamed," said she, solemnly. "Let me know all that is in your heart—the heart that I am losing."

"No, no," said Pinder, "not if you think it worth keeping. Well, Sarah, what I am driven to ask you is, What can any man do to earn a woman more than I have done? I have loved you honestly these ten years. I was true to you when you didn't belong to me. I tried to serve your husband for your sake—a chap I always disliked and despised. You found him out at last, and parted with him. Then I hid my mind no longer."

"It never was hidden from me."

"Since you came back alone I have courted you openly. You don't forbid me. You almost seem to return my love."

"Almost seem! I love you with all my heart and soul. I never loved as I love you, for I never esteemed."

"Ah! If I could only believe that!"

"You may believe it. I never told a lie. My heart turned to you when I saw you in my dream, and thought of your long fidelity and no reward. My poor Joseph, my heart turned more and more to you as the ship sailed homeward, and you were the one that made coming home seem sweetest to me. Where are your eyes? Since I came home have I ever regretted the creature I used to pine for?" (She put her white hands to her face and blushed.) "Women don't *make* love as men do, but they *show* it in more ways than men do to those who will but see it."

"Then show me a little love—real love. Make me your husband!"

"How can I?"

"Easy enough. Divorce that villain, and marry me. It is a plain case of desertion and infidelity. You can get a divorce for the asking."

"What! Go to law?"

"Why not? It's done every day by you better."

She colored faintly, and said, with gentle dignity, "My superiors, you mean. They do a many things I can't, besides painting and powdering of their faces. Me go to a court of law to part those that were joined till death in a church? That I could never do."

Pinder got angry. He belonged to a debating club, and he let her have it accordingly. "That is all superstition. The priests used to tell ignorant folks that marriage was a sacrament, and only the Pope of Rome could annul it. But we are not slaves of superstition and priestcraft nowadays. Marriage is not a sacrament; it is a contract, no more, no less. Your husband has broken it, contrary to law, and you have only got to dissolve it according to law. Wouldn't I divorce a faithless wife for you? And you would do as much for me, if you loved me as I love you."

"I love you better," said she; "by the same token, I couldn't quarrel with you as you do with me. Oh! pray, pray don't ask me to go into a public court, and say I only come to be freed from a wicked husband, and then have to own another man is waiting to take me. Ah! if you respected me as I do you, you couldn't—"

"I have respected you these ten years, and I've shown it. Now it is time to respect myself. I'm the laughing-stock of my friends for my calf-love."

"Ah!" cried she in dismay, "if they have been and wounded your vanity, it is all over. A man's love cannot stand against his vanity. But oh! if they knew how you are loved and respected, they would be ashamed to play upon you so. Dear Joseph, be patient, as I am. Believe that I love you better than you or any man born can ever love me. You are so agitated and so angry you frighten me, dear. Do but think calmly one moment: what is the best thing in holy wedlock, after all? Is it not the respect, and the tender affection, and the sweet company? What husband is more cherished

than you, or better loved? My sister loves you; my child loves you; I love you dearly. If you could but see us when you are away, how dead alive the place is, and we all sit mum-chance; but the moment you come we are all gay and talkative. You are our master, our delight, our very sunshine, and is *that* nothing?"

Joseph Pinder drank the honey with glistening eyes, but he could not quite digest it. He said these were sweet words, and there was a time when they would have charmed his ears, and blinded him to the hard truth. But he was older now, and had learned that woman's words are air. It is only by her actions you can ever know her heart.

"James Mansell," he said, "is a man of my age. 'Tisn't likely we shall both outlive him. So when you say you will not divorce him, that is as much as to say you will never be my wife till he is so obliging as to die. What is that but treating me like a calf? I won't die a bachelor to please James Mansell, nor any woman that clings to him *for life*. I will leave this, kill or cure."

Sarah objected firmly to that. "No, Joseph, if we are to part, it is for me to go and you to stay. This pretty house and garden I have enjoyed so, 'tis the fruit of your industry, and your skill, and your affection, that I cannot recompense as you require, and so you will call me ungrateful some day, and break my heart altogether. My dear, you must oblige me in this one thing, you must live here, and send me back to my little shop, and let me see you get rich, and make some woman happy that will love you better than I do. You loved me most when I stood at that little counter in Green Street, and didn't even pretend to be a lady." She began steadily enough, but with all her resolution, her voice failed, and she ended in tears.

"No, Sarah, you are not going to get it all your own way. Lucy loves me, and would be my daughter to-morrow. I won't hurt her; and I could not let you go back to Green Street. I'll take nothing with me but my carpet-bag and my pride, and the heart you have worn out."

Then Sarah began to cry in earnest.

"Oh, Joseph," said she, in accents to melt a stone, "is it not sorrow enough to part? Can you part in anger? I wouldn't be angry with *you* if you were to kill me."

"Part in anger?" said he. "Heaven forbid! Forgive me, my darling, if I have spoken a harsh word; and give me your hand at parting." He put out his hand, she seized it, and kissed it passionately. He kissed hers as tenderly, and their tears fell fast upon each other's hands. But he was a man, and had said he would go. So he actually did tear himself away, and catch up his bag, and through the wicket gate; and such was his manly resolution and his wounded pride that he went thirty—or at least twenty-five—yards before he wished himself back upon any terms whatever. Till now he never knew how much she loved him.

As for Sarah, she did not attempt to deceive herself or any one else. She laid her brow on the little table and sobbed piteously. Deborah came running to her, and took off her bonnet the first thing, for why should she spoil that as well as break her heart? But while saving the sacred bonnet, she was trying to comfort the heart.

"How could he leave you? How could you let him? It will kill you."

"Perhaps not. I trust in Heaven."

"Don't cry like that, dear," sobbed Deborah. "He will come back in a month or two, and then you will give in to him."

"No. I can only cry for him, and trust in my Redeemer, as I did when that creature played me false. I didn't trust in vain. Bring me my child."

Deborah put Lucy on her lap, and Sarah fondled her and cried over her. Presently what should Deborah see but Joseph Pinder at the wicket gate with his bag. She ran to him all in a hurry and whispered, "Not yet, ye foolish—you mustn't come back for a week; then she will be like wax."

"I'm not coming back at all," said Pinder, loud and aggressively. "It is only

out of civility. Lady and gentleman from America looking everywhere for her." Then he held the gate open, and beckoned to a lady and gentleman. They appeared, and at his invitation passed through the wicket.

Now Sarah had ears like a hare. She heard every word, and her smile of celestial love and just a little earthly triumph at Pinder's voice and self-deception was delicious; only, as she had been crying, she could not face these visitors all in a moment, but dried her eyes and tried to compose her features. Just then Pinder pointed her out in silence, and Solomon Grace walked gravely down the garden, and drew up stiffly at her right hand. Mrs. Grace also moved toward Sarah, but hung back a little. There was an air of solemnity about them both. Pinder, instead of retiring again, crept down a little way with his bag, and a swift exchange of words passed between him and Deborah.

"You came out of civility: what are you staying for?"

"Curiosity," snarled Pinder.

As soon as Mrs. Mansell saw Solomon Grace she said, eagerly, "Oh, my good friend, you here? Welcome!" She put out both hands to him.

He took them, and said gravely, "We bring you serious news."

At the sound "we," Sarah turned, and there was Mrs. Grace. She welcomed her just as she had done her husband. Lucy made a school courtesy to both of them. There was a hesitation. Grace and his wife looked at each other.

"Yes, you can tell her," said Elizabeth.

Sarah Mansell eyed them keenly. "Yes, you can tell me: whoever is false to me is dead to me from that moment." She half divined the truth. Some women can read faces, manner, incidents, all in a moment, and put them together. This was one.

"Yes," said Elizabeth, "I am glad you are prepared for it. James Mansell is no more."

Then Grace handed her the certificate of Mansell's death.

Mrs. Grace resumed: "He died in the hospital, and he died penitent, begging

forgiveness of those he had injured. Mrs. Mansell, I stood by his bedside and pardoned him."

"And so do I," said Sarah. "I forgive him with all my heart, as I hope to be one day forgiven;" and she raised her pious eyes to heaven.

While this was going on, Deborah came behind Pinder, who was listening gravely to every word, and quietly took the bag away out of his hand, and then his hat; both of these she handed to the servant-girl, and bade her hide them. Susan took the hint in a moment. Thus disarmed, Joseph sat meekly down in a chair at some distance, and Lucy immediately seated herself on his knee, with an arm round his neck. Sarah parted for the present with her American friends, but took their address, and in due course entertained them hospitably.

But this was a solemn day, and though she scorned to feign a single particle of regret, yet she felt it was not a day for conviviality. When she had bidden the Graces "good-by" at the wicket gate, she walked slowly toward the house. Then, looking askant, her eye fell on Pinder, with Lucy on his knee. She stopped and looked at them. Just then the servant came out into the porch and announced dinner. Sarah smiled sweetly on the pair, and said, "Come, my dears."

They both came; Joseph very humbly. But Sarah never uttered one syllable of comment on his temporary revolt. He, on his part, tried his best to make her forget their one quarrel. But that was quite unnecessary, and she let him see it. She never thought him in the wrong, but only thought herself in the right, and she never showed him even the shadow of resentment or exultation. She was "Singleheart," and she loved him.

When, after waiting a decent time, he threw out a timid hint that he hoped he might call her his own before so very long, she opened her eyes and said, "*Whenever you please, dear. I'm only waiting your pleasure.*" He was amazed. But that did

not prevent his catching her to him with rapture.

In the ardent colloquy that followed this embrace he said he had been fearing she would demand a year's delay.

"Not I," said she; "nor yet a month's. To be sure, I have my own old-fashioned notions of *decency*; but when it comes to ceremony, I would not set up such straws against *you*, not for one moment. What is etiquette to me? I am not a lady." [I am not so sure of that as she was.]

So they were married off-hand, and she soon showed Joe Pinder whether she loved him or not. All he had ever dreamed of love never came near hers. His happiness is perfect; and ten times the sweeter that he waited for it, pined for it, lost it entirely, earned it again, gained it by halves, then enjoyed it to the full.

To the world they are just thriving traders, very diligent and square in business, but benevolent; yet their private history is more romantic than the lives of nineteen poets in twenty.

Deborah is courting diligently. One Sunday afternoon Lucy, nodding over a good book, yet fitfully observant, saw her wooed by three eligible parties in turn over the palings. Then Lucy asked her which she was going to marry.

"How can I tell?" said she.

"Are they all three so very nice?" inquired Lucy, slyly.

"They are all three nicer than none at all," was Deborah's reply.

#### LUCY'S LAST.

"Aunt Deb, I don't think you will ever be married."

"That's good news for me. And why not?"

"Because marriages are made in *heaven.*"

Now it is not for me to predict the future; but from my observations of the Lucy Mansells I have known, I should expect to find that young lady at seventeen excessively modest and retiring, but as stupid as an owl.

## TIT FOR TAT.

## CHAPTER I.

It was a glaring afternoon in the short but fiery Russian summer. Two live pictures, one warm, one very cool, lay side by side.

A band of fifty peasant girls, in bright-spotted tunics, snow-white leggings, and turban handkerchiefs, blue, crimson, or yellow, moved in line across the pale green grass, and plied their white rakes with the free, broad, supple, and graceful movements of women whom no corset had ever confined and stiffened.

Close by this streak of vivid color, moving in afternoon haze of potable gold over gentle green, stood a grove of ancient birch-trees with great smooth silver stems; a cool brook babbled along in the deep shade; and on the carpet of green mosses, and among the silver columns, sat a lady with noble but hardish features, in a gray dress and a dark brown hood. Her attendant, a girl of thirteen, sparkled apart in pale blue, seated on the ground, nursing the lady's guitar.

This was the tamer picture of the two, yet, on paper, the more important, for the lady was, and is, a remarkable woman—Anna Petrovna Staropolsky, a true Russian aristocrat, ennobled, not by the breath of any modern ruler, but by antiquity, local sovereignty, and the land she and hers had held and governed for a thousand years.

It may throw some light upon her character to present her before and after the emancipation of her slaves.

Her family had never maltreated serfs within the memory of man, and she inherited their humanity.

For all that, she was very haughty; but then her towering pride was balanced by

two virtues and one foible. She had a feminine detestation of violence—would not allow a horse to be whipped, far less a man or a woman. She was a wonderfully just woman, and, to come to her foible, she was *fanatica per la musica*; or, if aught so vulgar and strong as English may intrude into a joyous science whose terms are Italian, MUSIC MAD.

This was so well known all over her vast estates that her serfs, if they wanted new isbahs—*alias* log-huts—a new peal of forty church bells, mounting by perfect gradation from a muffin-man's up to a deaving dome of bell-metal, or, in short, any unusual favor, would get the priests or the deacons to versify their petition, and send it to the lady, with a solo, a quartet, and a little chorus. The following sequence of events could then be counted on. They would sing their prayer at her; she would listen politely, with a few wincees; she would then ignore "the verbiage," as that intellectual oddity, the public singer, calls it, and fall tooth and nail upon the musical composition, correcting it a little peevishly. This done, she would proceed to their interpretation of their own music. "Let us read it right, such as it is," was her favorite formula.

When she had licked the thing into grammar and interpretation, her hard features used to mollify so, she seemed another woman. Then a canny moujik, appointed beforehand to watch her countenance, would revert for a moment to "the verbiage."

"Oh, as to *that*—" the lady would say, and concede the substantial favor with comparative indifference.

When the edict of emancipation came, and disarmed cruel proprietors, but took no

substantial benefit from *her* without a full equivalent, she made a progress through her estates, and convened her people. She read and explained the ukase and the compensatory clauses, and showed them she could make the change difficult and disagreeable to them in detail. "But," said she, "I shall do nothing of the kind. I shall exact no impossible purchases nor crippling compensations from *you*. Our father the emperor takes nothing from me that I value, and he gives me good money, bearing five per cent, for indifferent land that brought me one per cent clear. He has relieved me of your taxes, your lawsuits, and your empty cupboards, and given me a good bargain, you a bad one. So let us settle matters beforehand. If you can make your fortunes with ten acres per house, in spite of taxes, increasing mouths, laziness, and your beloved corn-brandy, why I give you leave to look down on Anna Petrovna, for she is your inferior in talent, and talent governs the world nowadays. But if you find Independence, and farms the size of my garden, mean Poverty now, and, when mouths multiply, Hunger, then you can come to Anna Petrovna, just as you used, and we will share the good emperor's five per cents."

She was as good as her word, and made the change easy by private contracts in the spirit of the enactment, but more lenient to the serfs than its literal clauses.

By these means, and the accumulated respect of ages, she retained all the power and influence she cared for, and this brings me fairly to my summer picture. Those fifty peasant girls were enfranchised serfs who would not have put their hands to a rake for any other proprietor thereabouts. Yet they were working with a good heart for Anna Petrovna at fourpence per day, and singing like mavisés as they marched. Catinka Kusminoff sang on the left of the band, Daria Solovieff on the right.

They were now commencing the last drift of the whole field, and would soon sweep the edge of the grove, where Madame Staropolsky—as we English should call her—sat pale and listless. She was a widow, and her only son had betrayed

symptoms of heart-disease. Sad reminiscences clouded those lofty but somewhat angular features, and she looked gloomy, hard and severe.

But it so happened that as the band of women came alongside this grove, which bounded the garden from the fields, Daria Solovieff took up the song with marvelous power and sweetness. She was all unconscious of a refined listener: it was out of doors, she was leading the whole band, and she sang *out* from a chest and frame whose free play had never been confined by stays, and with a superb voice, all power, volume, roundness, sweetness, bell-like clearness, and that sympathetic eloquence which pierces and thrills the heart.

In most parts of Europe this superb organ would have sung out in church, and been famous for miles around. But the Russians are still in some things Oriental; only men and boys must sing their anthems; so the greatest voice in the district was unknown to the greatest musician. She stood up from her seat and actually trembled—for she was Daria's counterpart, organized as finely to hear and feel as Daria to sing. The lady's lofty but hardish features seemed to soften all their outlines as she listened, a complacent, mild, and rapt expression overspread them, her clear gray eyes moistened, melted, and deepened, and lo! she was beautiful!

She crept along the grove, listening, and when the sound retired, directed her little servant to follow the band and invite Daria to come and help her prune roses next day.

The invitation was accepted with joy, for the work was pleasant, and the remuneration for working in Anna Petrovna's garden was not money, but some article of female dress or ornament. It might be only a ribbon or a cotton handkerchief, but even then it would be worth more than a woman's wage, and please her ten times more: the contemplation of a chiffon is a sacred joy, the feel of fourpence a mere human satisfaction.

So the next day came Daria, a tall, lithe, broad-shouldered lass, very fair, with hair like a new sovereign—pardon, oh, race Slavonic, my British similes! marvelous

white skin, and color like a delicate rose, eyes of deep violet, and teeth incredibly white and even.

When she went among the flowers she just seemed to be one of them.

The lady of the house came out to her with gauntlets and scissors, and a servant and a gig umbrella, whereat the child of nature smiled, and revealed much ivory.

Madame snipped off dead roses along with her for nearly half an hour, then observed, "This is a waste of time. Come under that tree with me. Now sing me that song you sang yesterday in the field."

The fair cheek was dyed with blushes directly. "Me sing before you, Anna Petrovna!"

"Why not? Come, Daria, do not be afraid of one old woman who loves music, and can appreciate you better than most. Sing to me, my little pigeon."

The timid dove, thus encouraged, fixed her eyes steadily on the ground and cooed a little song.

The tears stood in the lady's eyes. "You are frightened still," said she; "but why? See, I do not praise you, and I weep. That is the best comment. You will not always be afraid of me."

"Oh, no; you are so kind."

Daria's shyness was soon overcome, and every other day she had to come and play at gardening a bit, then work at music.

When the winter came her patroness could not do without her. She sent for old Kyril, Daria's father, and offered to adopt her. He did not seem charmed; said she was his only daughter; and he should miss her.

"Why, you will marry her, and so lose her," said madame.

He admitted that was the custom. "The go-between arranges a match, and one daughter after another leaves the nest. But I have only this one, and she is industrious, and a song-bird; and I have forbidden the house to all these old women who yoke couples together blindfold. To be sure, there is a young fellow, a cousin of mine, comes over from the town on Sundays and brings Daria flowers, and me a flask of vodka."

"Then he is welcome to one of you?"

"As snow to sledge-horses; but Daria gives him little encouragement. She puts up with him, that is all."

"You would like a good house, and fifty acres more than the ten a bountiful State bestows on you, rent free forever."

"Forgive me for contradicting you, Anna Petrovna; I should like them extremely."

"And I should like to adopt Daria."

The tender father altered his tone directly. "Anna Petrovna, it is not our custom to refuse you anything."

"And it is not your custom to lose anything by obliging me."

"That is well known."

After this, of course, the parties soon came to an understanding.

Daria was to be adopted, and some land and a house made over to her and her father as joint proprietors during his lifetime, to Daria after his decease.

Daria, during her father's lifetime, was to live with Madame Staropolsky as a sort of humble but valued companion.

When it was all settled, the only one of the three who had a misgiving was the promoter.

"This song-bird," said she to herself, "has already too much power over me. How will it be when she is a woman? Her voice bewitches me. She has no need to sing; if she but speaks she enchants me. Have I brought my mistress into the house?" This presentiment flashed through her mind, but did not abide at that time.

One Sunday she saw Daria strolling along the road with a young man. He parted with her at the door, but was a long time doing it, and gave her some flowers, and lingered and looked after her.

Anna Petrovna felt a twinge, and the next moment blushed for herself. "What! jealous!" said she. "The girl has certainly bewitched me."

She asked Daria, carelessly, who the young man was. Daria made no secret of the matter. "It is only Ivan Ulich Koscko, who comes many miles every Sunday."

"To court you?"



"I suppose it is."

"Does he love you?"

"He says so."

"Do you love him?"

"Not much; but he is very good."

"Is he to marry you?"

"I don't know. I would rather be as I am."

"I wonder which you love best—that young man or me?"

"I could never love a young man as I love you, Anna Petrovna. It is quite different."

Madame Staropolsky looked keenly at her to see whether this was audacious humbug or pure innocence, and it appeared to be the latter; so she embraced her warmly. Then Daria, who did not lack intelligence, said, "If you wish it, I will ask Ivan Ulitch not to come again."

This would have been agreeable to Madame Staropolsky, but her sense of justice stepped in. "No," said she; "I will interfere with no prior claims."

This lady played the violin in tune; the violoncello sonorously, not snorously; the piano finely; and the harp to perfection.

She soon enlarged her pupil's musical knowledge greatly, but was careful not to alter her style, which indeed was wonderfully natural, and full of genius. She also instructed her in history, languages, and arithmetic, and seemed to grow younger now she had something young to teach.

Christmas came, and her son Alexis was expected, his education at St. Petersburg being finished. Until this year he had not visited these parts for some time. His mother used to go to the capital to spend the winter vacation with him there; the summer at Tsarskoe. But there was a famous portrait of him at seven years of age—a lovely boy, with hair like new-burnished copper, but wonderful dark eyes and brows, his dress a tunic and trousers of purple silk, the latter tucked into Wellington boots, purple cap, with a short peacock's feather. We have Gainsborough's blue boy, but really this might be called the Russian purple boy.

A wonder-striking picture of a beautiful original.

Daria had often stood before this purple boy, and wondered at his beauty. She even thought it was a pity such an angel should ever grow up, and deteriorate into a man.

The sledge was sent ten miles to meet Alexis, and while he was yet three miles distant the tinkling of the bells announced him. On he came, at the rate of fifteen miles an hour, with three horses—a powerful black trotter in the middle, and two galloping bays, one on each side, all three with tails to stuff a sofa and manes like lions. Everybody in the village turned out to welcome him; every dog left his occupation and followed him on the spot; the sledge dashed up to the front veranda, the ready doors flew open, the family were all in the hall, ready with a loving welcome; and the thirty village dogs, having been now and then flogged for their hospitality, stood aloof in a semicircle, and were blissful with excitement, and barked sympathetic and loud. When the mother locked the son in her arms the tears stood in Daria's eyes; but she was disappointed in his looks, after the picture; to be sure, he was muffled to the nose in furs, and his breath, frozen flying, had turned his mustache and eyebrows into snow. Beard he had none, or he might have passed for Father Christmas—and he was only twenty.

But in the evening he was half as big, and three times as handsome.

His mother made Daria sing to him, and he was enraptured.

He gazed on her all the time with two glorious black eyes, and stealing a glance at him, as women will, she found him, like his mother, beautified by her own enchantment, and he seemed to resemble his portrait more and more.

From that first night he could hardly take his eyes off her. These grand orbs, always dwelling on her, troubled her heart and her senses, and by degrees elicited timid glances in return. These and the seductions of her voice completed his conquest, and he fell passionately in love with her. She saw and returned his love, but tried

innocent artifices to conceal it. Her heart was in a tumult. Hitherto she had been as cool as a cucumber with Ivan and every other young man, and wondered what young women could see so attractive in them. Now she was caught herself, and fluttered like a wild bird suddenly caged.

Ivan Ulitch Koseko, who could not make her love him, used to console himself for her coolness by saying it was her nature—a cool affection and moderate esteem was all she had to give to any man. So many an endured lover talks; but suddenly the right man comes, and straightway the icy Hecla reveals her infinite fires.

Alexis soon found an opportunity to tell Daria he adored her.

She panted with happiness first, and hid her blushing face, but the next moment she quivered with alarms.

"Oh, no, no," she murmured, "you must not! What have I done? Your mother—she would never forgive me. It was not to steal her son's heart she brought me here." And the innocent girl was all misgivings, and began to cry.

Alexis consoled her and kissed her tears away, and would not part with her till she smiled again, and interchanged vows of love and constancy with him.

Under love's potent influence she left him radiant.

But when she thought it all over, and him no longer there to overpower her, her misgivings grew, and she was terrified. She had an insight into character, and saw beneath the surface of Anna Petrovna. That lady loved her, but would hate her if she stole the affections of her son, her idol.

Daria's deep eyes fixed themselves all of a sudden on the future. "Misfortune is coming here," she said.

Then she crossed herself, bowed her head piously in that attitude, and prayed long and earnestly.

Then she rose and went straight to Anna Petrovna. She found her knitting mittens for Alexis.

She sat at her feet, and said wearily, "Anna Petrovna, I ask leave to go home."

"Why? what is the matter?"

"My father."

"Is he unwell?"

"No. But he has not seen me for some time."

"Is it for long?"

"Not very long."

Anna Petrovna eyed her steadily. "Perhaps you are like me, of a jealous disposition in your little quiet way. Tell the truth now, my pigeon, you are jealous of Alosha."

"Me jealous of Alexis?"

"Oh, jealousy spares neither age nor sex. Come, you are—just a little. Confess now."

Daria was surprised; but she was silent at first; and then, being terribly afraid lest one so shrewd should discover her real sentiments, she had the tact and the self-defensive subtlety to defend herself so tamely against this charge that she left the impression but little disturbed.

Anna Petrovna determined to cure her by kindness, so she said, "Well, you shall go next week. But to-day we expect our cousin Vladimir Alexéitch Plutitzin on a short visit. He is musical, and I cannot afford to part with you while he is here."

Then Daria's heart bounded with delight. She had tried to go away, but was forcibly detained in paradise.

Vladimir Alexéitch Plutitzin arrived—a keen, dark gentleman, forty years old, and a thorough man of the world; a gamester and a *roué*, bully or parasite, whichever suited his purpose; but most agreeable on the surface, and welcome to Madame Staropolsky on that account and his relationship. He seemed so shallow she had never taken the trouble to look into him.

His principal object in this visit was to borrow money, and as he could not do that all in a moment, he looked forward to a tedious visit.

But this fair singer made all the difference. He was charmed with her, and began to pay her attentions in the drollest way, half spooney, half condescending. He was very pertinacious, and Daria was rather offended, and a little disgusted. But

all she showed was complete coolness and civil apathy.

Vladimir Alexéitch, having plenty of vanity and experience, did not accept this as Ivan did. "This cucumber is in love with somebody," said he; and he looked out very sharp. He saw at once that Alexis was wrapped up in her, but that she was rather shy of him, and on her guard. That puzzled him a little. However, one Sunday he detected her talking with a young man under the front veranda. It was not love-making after the manner of Vladimir Alexéitch, but they seemed familiar and confidential: clearly he was the man.

Vladimir burned with spite; and he wreaked it. He went into the drawing-room, and there he found Alexis and his mother seated apart. So he began upon Alexis. He said to him, too low for his mother to hear, "So our cantatrice has a lover."

Alexis stared, then changed color. "Daria a lover—who?" He thought at first his own passion had been discovered by this shrewd person.

"Oh, that is more than I can tell you. Some fellow of her own class, though. He is courting her at this moment."

Alexis turned ashy pale, and his lips blue. "I'll believe that when I see it," said he, stoutly.

"See it, then, in the veranda," was the calm reply.

With that the serpent glided on to the mother.

Alexis waited a moment, and then sauntered out, with a ghastly attempt at indifference.

Once in the hall, he darted to the door, opened it, and found Daria and her faithful Ivan in calm conversation. The sight of the young man was enough for Alexis. He said, angrily, "Daria, my mother wants you immediately."

"Farewell, then, Ivan," said Daria, submissively, and entered the house at once. Alexis stood and cast a haughty stare on Ivan; and the poor fellow, who had walked ten miles for a word or two with Daria, returned disappointed.

## CHAPTER II.

MEANTIME Anna Petrovna asked Vladimir Alexéitch what he had said to Alexis. "Oh, nothing particular; only that our fair cantatrice had a lover."

"Why, that is no news," said the lady. "But indeed he is not much of a lover, and I hope it will come to nothing. That is very selfish, for he is an old friend and a faithful one to her. His mother kept the district school at Griasansk, and taught Daria to read and write and work. Her son is a notary's clerk, and assisted her in her learning. Let me tell you she is a very fair scholar, not an ignorant savage like the rest of these girls. To be sure her father has a head on his shoulders, and had sent her to school, contrary to the custom of the country."

That favorite topic of hers, the praises of her *protégée*, was cut unnaturally short by Daria in person. She came in, and gliding up to her patroness with a sweet inclination of her whole body, said, "You sent for me, Anna Petrovna. Alexis Pavlovitch told me."

"Indeed! Then he divined my thought. But I did not send for you; I heard your friend was with you."

"He was."

"What have you done with him?"

"I told him to go."

"That you might come to me?"

"Certainly."

"That was rather hard upon him."

"It does not matter," said Daria, composedly.

"Not to you, Daria; that is evident."

Alexis came in, and flung himself into a chair, manifestly discomposed. Daria cast a swift glance at him, then looked down.

Anna Petrovna surprised this lightning glance and looked at her son, and then at Vladimir; then she turned her eyes inward, mystified and inquiring, and from that hour seemed to brood occasionally, and her features to stiffen.

Vladimir watched his poison work. Some days afterward he joked Alexis about his passion for a girl who was

already provided with a lover, but found him inaccessible to jealousy. The truth is, he and Daria had come to an explanation. "She loves nobody but me," said the young man, proudly; "and no other man but me shall ever have her; not even you, my clever cousin."

"Oh, I make way for the head of the house, as in duty bound," said sneering Vladimir. "But when you have got her all to yourself, what do you mean to do with her? I am afraid, Alexis, she will get you into trouble. Her people are respectable. Your mother's morals are severe. She is attached to the girl. What on earth can you do with her?"

"I mean to marry her, if she will have me."

"Do what?"

"Marry her, man. What else can I do?"

Vladimir was incredulous, and amused at first; then taking a survey of the young man's face, he saw there the iron resolution that he had observed in the boy's mother. He looked aghast. Alexis marry this blooming peasant—a woman of another race, a child of nature! She would fill that sterile house with children, and *he* would die the beggar that he was. Vladimir did not speak all at once. At last he said, "You cannot; you are not of age."

"I shall be soon."

"Your mother would never consent."

"I fear not."

"Well, then—"

"I shall marry Daria."

When Alexis said this, and looked him full in the face, Vladimir turned his cold, pale, Tartar eye away, and desperate thoughts flashed across him. Indeed he felt capable of assassination. But prudence and the cunning of his breed suggested crafty measures first.

He controlled himself with a powerful effort, and said quietly, "Such a marriage would break your mother's heart; and she has been a good friend to me. I cannot abet you in it. But I am sorry I treated a serious matter with levity."

Then he left him, and his brain went to work in earnest.

The truth is that a more dangerous man than Vladimir Alexéitch Plutitzin never entered an honest house. Crafty and selfish by nature, he was also by this time practically versed in wiles; and his great expectations, should Alexis die without issue, and his present ruin, made him think little of crime, though not of detection.

He was too cunning to go and tell Anna Petrovna all at once and so reveal the mischief-maker to Alexis. He was silent days and days, but went into brown studies before Anna Petrovna, to attract her attention. He succeeded. She began to watch him as well as her son; and at last she said to him one day, "There is something mysterious going on in this house, Vladimir."

"Ah, you have discovered it?"

"I have discovered there is *something*. What is it, if you please?"

"I do not like to tell you; and yet I ought, for you have been a good friend to me, and if I do not warn you, you will perhaps doubt my regard. I don't know what to do."

"Shall I help you? Alexis and Daria!"

"There, then, you have seen it."

"I see he is *extasié* with her, and no wonder, since I am. Luckily she has too much good sense."

"Anna Petrovna, my dear kinswoman and benefactress, it is my duty to undeceive you. She is more timid and more discreet, because she is a woman; but she is just as much in love. It is a passionate attachment on both sides, and—how shall I tell you?—marriage is to be the end of it!"

"Marriage! My son—and my serf!"

"Serfs exist no more. We are all ladies and gentlemen, thanks to God and the czar."

Anna Petrovna turned pale and her features hard as iron. "Viper," said she, not violently, but sadly. Then her breath came short, and she could not speak.

But after a little while this just woman half recanted. "No," said she, "I had no right to say that. She sought me not; I brought her into this house, and she was a treasure to me. I brought him into the





SHE WITH HER CHEEK ALL LOVE AND BLUSHES ON HIS SHOULDER.  
—Tit for Tat.

house, and she saw her danger and asked leave to go. But *I*, who ought to have been wiser than she, had no forethought. I have made my own trouble, and it is for me to mend it. There shall be no discussion on this subject. You must not let Alexis know you have spoken to me, nor shall I speak to him."

Vladimir consented eagerly. It was not his game to quarrel with Alexis.

That very afternoon Madame Staropolsky said to Daria, "Daria, my little soul, you were right and I was wrong; you shall visit your father this afternoon."

Daria turned red and white by turns, and acquiesced, trembling at what this might mean. Two maids were sent to assist her in packing. That gave her no chance of delay.

In one hour a large sledge came round, filled with presents for her father. Anna Petrovna blessed her fervently, but with a feminine distinction kissed her coldly, enveloped her in rich furs, and packed her off *sans cérémonie*. She dashed over the hard snow for a mile or two, then through the village, sore envied, and followed by each cur, and at last landed triumphantly at her own farm and her father's, warmly welcomed, admired, and barked after; only the tears trickled down her cheeks from the door she quitted to the door she reached.

That evening the house looked blank. Everybody missed Daria, and Alexis kept looking at the door for her. At last he asked, with indifference ill feigned, what had become of her.

"Oh," said his mother, "she has gone home. She wished to go last month, but I detained her. I wished you so to hear her sing."

She then turned the conversation adroitly and resolutely.

But Alexis as resolutely declined to utter anything but monosyllables. He could conceal neither his anger nor his unhappiness. He avoided the house, except at meals, yawned in Vladimir's face, and even in his mother's, and once, when she asked, tenderly, why he was so dull, replied that

the house had lost its sunshine and its music.

This was a cruel stab to Anna Petrovna. She replied, grimly, "Then we will go to Petersburg earlier than usual, dear."

One day he cleared up and became as charming as ever.

Anna Petrovna, whose mother's heart had yearned for him, was comforted, and said to Vladimir, "Ah, youth soon forgets. Dear Alexis has come to his senses and recovered his spirits."

"So I see," was the reply. "But I do not interpret that as you do. I take it for granted he sees the girl every day."

"What!" said Madame Staropolsky, "under her father's roof? He would not wrong me so, after all I have done for him. But I should like to know."

Artful Vladimir took her hand tenderly. "I don't like spying on Alexis, but you have a right to know, and you shall know."

She pressed his hand gratefully, then left him, with a deep maternal sigh.

In a few days he made her his report. Alexis rode straight to the farm every day, and spent hours with Daria. Her father encouraged him, and indeed ordered the girl to receive him as her betrothed lover.

The mother's features set themselves like iron, but she uttered no impatient word this time. She just directed her servants to pack for Petersburg.

When Alexis heard this he said he should prefer to stay behind until the full summer.

"No, my son," said Madame Staropolsky calmly; "you must not abandon me altogether. If I have lost your affection, I retain my authority."

"So be it; I must obey," said he, doggedly. "I am not of age. I shall be soon, though, thank Heaven."

The iron pierced through the mother's heart. She winced, but she did not deign to speak.

That evening Alexis did not come home to dinner. He arrived about ten o'clock, with his eyes red and swollen, would take nothing but a glass of tea, and so to bed.

At the sight of his inoffensive sorrow the

mother's bowels began to yearn over her son. "Oh, my friend," said she to her worst enemy, "what shall I do? He will not live long." Vladimir pricked up his ears at that. "Aneurism of the heart—very slight at present, but progressive. Why poison his short life? She is virtuous. It is only her birth. I am a miserable mother."

Her crafty counselor trembled, but his cunning did not desert him.

"And I can't bear to see you weep," said he. "Yes, try the capital and its female attractions, and if they fail, let him marry his enfranchised serf and found a plebeian line. I would rather endure that shame than see you and him really unhappy. But if you only knew how many of these unfortunate attachments I have seen cured, and the patient begin by hating and end by thanking his physician!"

"We will go to Petersburg to-morrow," said the lady, firmly.

They made the journey accordingly. They took a house on the Krestoffsky Island, and by advice of Vladimir furnished both Alexis and himself with large funds, aided by which this mentor set himself to corrupt his pupil.

Everything is to be bought in capitals, and the Russian capital contained women of good position who were easily tempted to feign attachment to this Adonis, and cajole him with superlative art, which, by the way, in one case became nature through the lovely baroness falling really in love with him. With the assistance of these charmers, and constant letters from Daria, which he took the precaution to receive at a post-office, and post his own letters with his own hand, he passed three months rather gayly. He saw he was being cunningly dealt with, and being a Slav himself, he kept demanding money for his pleasures and certain imaginary debts of honor, and hoarding it for a virtuous and imprudent purpose.

As for Vladimir, he became easy about his pupil, and pushed his own interests with the aid of his grateful patroness. Her vast lands and her economy had made her prodigiously rich, and by consequence powerful, and, with her influ-

ence and the money she furnished, Vladimir got the promise of a police mastership in a town and district about seventy miles distant from Smirnovo.

But all of a sudden his complacency and the tranquillity of his patroness received a shock. Alexis disappeared, in spite of all the money invested to cure him of a virtuous attachment by pleasure, folly, and a little vice, if the good work could not be achieved without it. For some days he was sought high and low in St. Petersburg, and the police reaped a harvest before they found out, or at all events before they revealed, that he had hired a traveling carriage, taken a *permis de voyage*, and gone south post-haste.

Anna Petrovna hurled Vladimir after him, and Vladimir, whose appointment was just signed, donned a uniform, and when he left the railway demanded post-horses anywhere in the name of the law, and achieved the journey to Smirnovo faster even than Alexis.

He dashed up to the door of the house. It flew open, as usual, without knock or ring.

"Alexis Pavlovitch?"

"Not here."

"Has he not been here?"

"Yes, slept here one night about two days ago."

Vladimir made no noise, but into his carriage again, and away to Daria's cottage.

Empty, all but an old woman as deaf as a post, and put in charge for no other reason.

From her he could get nothing; from the neighbors only this, that the old man and his daughter and Alexis had set forth on a journey, and neither they nor the troika nor the horses had been heard of since.

Plutitzin returned crest-fallen to headquarters, wrote to Anna Petrovna, and then went to bed for twenty-four hours.

Next day he put on his uniform, galloped about the country, and tried to learn the direction those three fugitives had taken.

He cajoled, he threatened. "They mean marriage," said he, "and the man is a



minor. His marriage will be annulled, and all who have aided and abetted him sent to Siberia."

The simple country folk swallowed this brag, coming out of a uniform. They trembled and offered conjectures, having no facts; and then he swore at them and galloped elsewhere. But when he had ridden two horses lame, it struck him all of a sudden that he was acting like a fool. Why hunt these culprits in the neighborhood they had left?

Within eighty miles—a mere step in Russia—was his new post, at Samara, and all the machinery of his office; here he was but a private person, cased in an irrelevant uniform.

That very night he wrote to the municipal authorities of Samara, and let them know he should arrive at his official residence on the morning of next Thursday.

He gave just time for this missive to get ahead of him, and then started. But he made two days of it, and inquired at all the stages. Nor were these inquiries fruitless.

Thirty miles from home he struck the scent of the fugitives, and they seemed really to have anticipated his track; but then it was nearly three weeks ago.

At the last stage before Samara he donned his uniform, and a glorious military decoration he had obtained before he left the army of his own accord, because he was threatened with an inquiry based on his neglect to pay debts at cards, and thus resplendent he drew near the scene of his future power and glory—stipend moderate, money to be obtained by bribes indefinite.

As he surmounted a rising ground three miles from the town, a peal of musical church bells broke out—one of the drollest and prettiest things in Russia, on account of the bells ranging over three octaves, and the curious skill of the ringers in sometimes running a series, sometimes leaping off treble lowers into profound wells of melody. Tinkle, tinkle, tinkle, b-o-m-e. Tinkle, bome, tinkle, tinkle, bome.

All this tintinnabulation and boomen gratified Vladimir's vanity. With what

quick eyes had Adulation seen the coming magnate, and with what watchful fingers rung him into the town of Samara! so Vladimir read "the bells." He smiled, well pleased, and longed to be there; but he had another rise to surmount first, and as his jaded horses plodded up it, down glided an open calèche, with glossy and swift horses, and in it sat Alexis and Daria, hand in hand; she with her cheek all love and blushes on his shoulder; he seated erect and conscious, her protector and her lord.

The carriages passed each other rapidly; but in that moment Alexis drew himself higher, if possible, and his black eye flashed a flame of unspeakable triumph on his baffled pursuer.

Then there whirled through the brain of Vladimir some such thoughts as these: "Without her father—church bells—that look of triumph—useless to follow them—let him have her—she will keep him from marrying till he dies—this marriage illegal—I will annul it on the spot—*quietly*."

Revolving the details of this villainous scheme, he entered the town of Samara.

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### CHAPTER III.

VLADIMIR went straight to the church. The priest's office was vacant by his recent decease. The deacon was there. Vladimir terrified the simple man; told him he had taken part in an illegal act—the marriage of two minors, one of them under a false name. The woman, a lady of rank; the *soi-disant* Alexis an enfranchised serf, whose real name was Kusmin Petroff.

"Is it possible?" said the dismayed deacon. "Why, her father attended the ceremony."

"Her father! Did he look like a nobleman?"

"No; more like a respectable peasant."

"Of course. It was her major-domo," said the unblushing Vladimir, "and it will cost him a trip to Siberia; and if you are wise you will endeavor not to accompany him."

"My father," said the poor man, "it all seemed honest; they sojourned here—more than a fortnight. Their bauns were published. You cannot suspect me of complicity. I implore you not to bring me into trouble."

"Oh, as to that," said the chief of police, "all depends on your present conduct. Noble families do not love public scandal. If you place yourself under my orders now, I dare say I shall be able to protect you."

These terms were eagerly accepted.

"Now, then," said this grim functionary, "is this sham marriage registered?"

"Only on a slip of paper, preparatory to my entering it on the register."

"You will hand that paper to me."

"Here it is, my father."

"And the book of registration."

"Yes," said the deacon, faintly.

"A much higher authority than I care to name will decide whether there shall be a correct entry or none at all. While his imperial maj—while this grave matter is under consideration, make all future entries on loose paper *pro tem*."

The book was handed over to the chief policeman, and returned in three weeks, with the remark that it had been to St. Petersburg in the interval.

The simple deacon received it with a genuflection. He thought that it had passed through the sacred hands of the father of his people.

Meantime Vladimir wrote to Anna Petrovna and told her all, addressed the letter, and burned it. He remembered that she had wavered, and, besides, he recollected her character. She was too scrupulous to co-operate with him in his sinister views, and indeed had not the same temptation.

He wrote briefly to say that Alexis and Daria were living together as man and wife, and it was even reported that he had

deceived her with a form of marriage; but that might be untrue.

Anna Petrovna wrote back to say she should return to Smirnovo at once, and summoned him to her side, "for," said she, "I am alone in the world."

Instead of melting into tears at the sad words, Vladimir's eyes flashed with greed. The other day a pauper, and now all the domain of his powerful relative seemed to be separated from him only by one life, and that life not only precarious but doomed.

He left his post directly, appointed a substitute, who was to communicate with him on important occasions, and he was at Smirnovo to receive Anna Petrovna. She came, worn out with fatigue and the struggles of her maternal heart, and next day she was seriously ill. Physicians sent for—advised darkened room—relief from business and anxieties—and poisoned her a little with mild narcotics.

Vladimir now read all her letters, and replied to all except two. These were from Alexis and Daria, entreating pardon, with a filial anxiety, and a loving tenderness that would have melted the mother at once. But this domestic fiend suppressed them, and the young pair got no reply whatever.

This marred in some degree their short-lived happiness. Still, they hoped all from time, and recovering by degrees the cruel rebuff, they were so happy that every day they blessed each other, and wondered whether any other mortals had attained such bliss on this side heaven.

Alas! in the midst of their paradise Fate struck them down. Alarming symptoms attacked Alexis. Physicians were sent for, one after another, and all looked grave. Daria wrote wildly to his mother: "He is dying. Come, if you love him better than I do. Come, and take him from me forever. Only save him." Hope rose and fell, then dwindled altogether. Daria watched him day and night, and eyed every doctor's face so piteously that they had not the heart to speak out, but their looks and tones were volumes. At last the greatest physician in the empire came and stood

with his confrères over that sad bed. He felt the patient's heart, his head, his limbs. He said but one word:

"Moribundus."

Then he retired without losing a moment more, where science was as vain as ignorance.

Vladimir did not let Anna Petrovna see Daria's letter, but he went to her, and said, with agitation real or feigned, "I hear Alexis is ill. I must go to him. I love the boy. If he is seriously ill, let me tell him you forgive him. Do not run a risk of shortening his life."

The poor mother trembled, wept, and assented, and the hypocrite became dearer to her than ever.

He started at once for Petersburg, and, traveling day and night, soon reached the pleasant villa from which Daria's letter was written.

Outside were pink sun-blinds, marble pillars festooned with creepers, and all the luxuries of civilized existence; inside, the dire realities of life—the husband a corpse, the wife raving, and both of them in their prime. That no cruel feature might be absent, an official stood there, like an iron pillar, demanding the immediate interment of him who, according to nature, had just begun to live.

There was no more temptation to be cruel. Vladimir buried the husband, got two good professional nurses for the wife, wrote feeling letters to the bereaved mother, and invited Daria's father to come to her at once. He even deceived himself into believing he was very sorry for all the hearts that were broken by this blow, and that he stayed in the capital to keep guard over the house of mourning, whereas what he stayed for was to enjoy the pleasures of the capital, and get himself appointed by the State administrator to Alexis, who, like most that love well, had died intestate, and left his love to battle for the rights he could have secured her by a stroke of the pen in season.

Alexis had drawn the rents of Staropolsk, his patrimony, and there was money in the

house; but Vladimir thought it wise to connive at that, and fasten on a larger booty. Though older in years, he was somehow heir at law to Alexis, and being administrator, had only to help himself.

From such a mind it is a relief to turn to sacred sorrow. An old man conveyed home by easy stages a pale young woman in a full cap, worn to hide the loss, by grief and brain-fever, of her lovely golden hair. It was the broken-hearted Daria.

A mother bereaved of her only son sought comfort in religion, and awaited her own summons, with thanks to God that she had not many years to live alone in *this* cruel world. This was the brave Anna Petrovna.

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#### CHAPTER IV.

IN the second month of her widowhood her father told Daria she ought to demand her third.

"My third!" said she. "I have lost *him*, and would you comfort me with his money?" And she burst into such passionate weeping that the old man promised faithfully not to renew the subject.

In the fourth month of her widowhood she came and stood by her father as he was smoking a cigarette, put a hand light as a feather on his shoulder, looked down upon the floor, and said in a low but rather firm voice, "Yes."

"Yes, what?" asked the old man.

"You can ask for our thirds."

"Our thirds? Why, I have no claim."

"No, not you; but—"

"What! Daria, my little soul. You blush. Is it so? Never mind your old father. Yes; well, then, now you are a woman, and your thirds you shall have, the pair of ye, or I'm not a man."

By this time it was well known that Vladimir inherited and administered the estate of Alexis Pavlovitch Staropolsky, deceased; so Kyril Solovieff wrote to him

with Russian politeness, hoped he was not premature or troublesome, but the widow of Alexis would be grateful if he would let her have her third, or a portion on account.

Vladimir, who had not been in a public office for nothing, wrote a line acknowledging receipt, and saying the matter should meet with due consideration.

And so it did. He did not like parting with a third, but he had vague fears of a public discussion. He felt inclined to write back that he could not recognize the marriage as a legal one, but would respect the sentiments of his deceased relative, and disburse to her the same sum as if the marriage had been legal.

But before he could quite make up his mind a report reached him which, vague as it was, alarmed him seriously. He instantly employed spies; and they soon let him know that Daria Solovieff asked for her thirds because she had another to provide for—the offspring of her beloved Alexis.

This was told him with such circumstance and detail as left no doubt possible; and so the weak woman, who the other day lay at his mercy, struck terror to the very bones of this Machiavel; and all the better. It is a comfort to find that in the scheme of nature the weak can now and then confound the strong and cruel.

War to the knife now! This serf spawn, if it lived, would inherit the lands of Staropolsk and Smirnovo. Vladimir must not by word or deed admit the marriage.

He wrote, and denied all legal claim, but offered 5,000 rubles out of respect for the memory of Alexis.

This was declined, and proceedings commenced. A lawyer got up the case for Daria, instructed by her father.

Vladimir prepared his own case, and spent money like water; got the deacon of Samara out of the way to a better place twelve hundred miles off; had famous counsel from St. Petersburg, etc.

The case was tried in the district court. The defense was, "No marriage at all, or else illegal by minority."

On the question of minority the defense was upset, the Solovieffs made a hit there:

they brought witnesses out of the enemy's camp—the nurse of Alexis, who had noted the very hour of his birth, four o'clock in the morning of the 9th of May, 1846.

Now the witnesses swore he was married 9th of May, at 11 A. M.

Three witnesses who knew Alexis and had seen him married had been spirited away for the time by the gold of Plutitzin. Eighteen natives of the town gave secondary evidence—swore to the bride there present, and that the bridegroom was a young man with swarthy complexion and wonderful black eyes, who passed for Alexis Pavlovitch Staropolsky.

This evidence led up to the direct testimony of old Kyril Solovieff, that he had driven Alexis from Smirnovo to Samara, and given him at the altar his daughter there present.

The last witness was Daria herself. Her beauty and sorrow and angelic candor, coupled with her situation, which was now very manifest, and a touching justification of her proceedings, both in defense of her good name and her other rights, won every heart, and indeed made every word she spoke seem gospel truth.

She deposed to her adoption by Anna Petrovna, her courtship by Alexis, their separation, his fidelity, their sojourn in Samara, their marriage, their cohabitation, her refusal to take these proceedings until she found herself pregnant.

When she was taken, sobbing and half-fainting, out of the box, defense seemed impossible. Many persons present wept, and among them was a young lawyer, who never forgot that trial, never for a moment misunderstood a single point of it. It was the faithful, forgiving Ivan Ulitch Koscko.

The defendant's counsel rose calmly, and alleged fraud. He admitted the attachment between Alexis and the plaintiff, and argued that to possess this beautiful woman he had lent her his name, upon conditions which she and her friends never violated till death had closed his lips.

The person she had legally married was some tool bought for the job, and to leave the country forever, and make way for the real possessor but fictitious husband.

Then they put in the book of registry, and, with a certain calm contempt, left their case entirely with the judge.

People stared and wondered.

The judge examined the book, and read from it: "May 9, 1866, married Kusmin Gavrilovitch Petroff and Daria Kirilovna Solovieff, strangers."

A chill ran round the court.

The judge asked the defendant's counsel in whose handwriting this entry was.

"In the same as the rest apparently."

"And who wrote the rest?"

"We do not know for certain."

"Well, I must know before I admit it against sworn witnesses."

He retired to take some refreshment, and on his return they had witnesses to swear that the entry in question and the notices that preceded it, and thirty-five per cent that followed it, were all in the handwriting of the last deacon.

"Where is he?" asked the judge.

"He was promoted some time ago to a church on the confines of Siberia."

Then the judge expressed dissatisfaction at his not being there, and thereupon each counsel blamed the other. The plaintiff's counsel believed he had been spirited away. The defendant's counsel said that was an unworthy suspicion; the law relied on the book, not on the writer; he in many cases must be absent, since in many he was dead. It was for the other party, who had the book against them, to call the writer if they dared; and being plaintiff, they could have postponed the case until they had found him.

In this argument the barrister from the capital gained an advantage over the local advocate, and the judge nodded assent.

This concluded the trial, and the judge delivered the verdict and his reasons in a very few words.

"This is a strange case," said he, "a mysterious case. There is a conflict of evidence, all open to objection. The direct evidence for the plaintiff is respectable, but interested; the evidence for the defendant is a book, and cannot be cross-examined. But then that book is the special evidence appointed by law to

decide these cases. It can only be impugned by evidence of forgery or addition, mutilation or adulteration of some kind or other. It is not so impugned in this case; therefore, it binds me. The verdict is for the defendant, the marriage of the plaintiff to Alexis Pavlovitch Staropolsky being not proved according to law, and indeed rather disproved."

Daria's father went home furious at the defeat and the loss of money. Daria shed some patient tears, but bore the disappointment and the wrong with fortitude.

As the defeated ones drove out of the town in their humble vehicle they were stopped by an old friend—Ivan Ulitch. The meeting made them both uneasy. They had dismissed him so curtly, and what had they gained? The farmer even expected an affront, or ironical sympathy. But Ivan was not of that sort. He was "humble fidelity" in person. Affectionate, not passionate, he had obeyed his beautiful friend, and left her in prosperity, but in her adversity he returned to her directly.

"Daria, my soul," said he, "do not be discouraged by this defeat. It is a fraud of some sort. Give me time; I shall unravel it. I live here now, and shall soon be a clerk no more, but a lawyer to defend your rights."

"Good Ivan—kind, faithful Ivan!" said Daria, through her tears. "What, are you still my friend?"

"More than ever, dear soul, now I see you wronged. Do not lose heart. This defeat is nothing. Your lawyer was weak; the other side were strong and unscrupulous, and have fought with gold and fraud. That is self-evident, though the fraud itself is obscure. No matter; I will work like a mole for you, and unravel the knavery."

Daria interrupted him. "No, Ivan Ulitch; that you esteem me still is a drop of comfort, welcome as water to the thirsty. But no more law for me."

And so they parted.

Ivan, though he seemed to acquiesce, was not to be discouraged. For months and years he patiently groped beneath the

surface of this case, yet never mentioned the case itself. He watched for the return of smuggled away witnesses; he listened in cafés and cabarets; he courted the priest and the deacon; he was artful, silent, patient, penetrating. Love by degrees made him as dangerous as greed had made Vladimir Alexéitch.

Meantime that victorious villain hurried away to his headquarters, and told Anna Petrovna there had been no difficulty after all. The very register of the place had shown that the person Daria was really married to was a serf.

"I do not doubt it," said Anna Petrovna; "but I cannot rejoice with you. Would to God my son had married her, and not died with *that* crime on his soul!"

Vladimir shrugged his shoulders, and made no reply. As for Anna Petrovna, she never recurred to the subject; and indeed she hated the very name of Daria Solovieff. She was obliged to hear it now and then; but she never uttered it of her own accord.

Daria became the mother of a beautiful boy, and the joys of maternity reconciled her to life. Youth and health and maternal joy fought against grief, and in time gave her back all her beauty, with a pensive tenderness that elevated it. Her position was painful; but the country people stood by her. The women instinctively sided with her, and laid all the blame on the pride of the nobles.

She called her boy Alexis, and he was as dark as she was fair. She had him well educated from his very infancy, and let everybody know that they must treat him like a noble, but herself like a peasant. She never went near Smirnov, nor did Anna Petrovna ever come her way. Yet they often thought of each other, and each wondered how she could have so mistaken the other's character. Their friends did not fail to keep the mutual repulsion alive, the impassable gulf open.

Ivan visited the cottage from time to time, and was always welcome. One year after the birth of Alexis, he offered marriage to Daria. She thanked him for his fidelity, but calmly declined. This re-

stricted him to one topic; and, to do him justice, the enduring fellow did not cool in it one bit merely because Daria would not marry him. He remained just as full of the law case and Plutitzin's knavery, to whose influence he had pretty well traced the false entry in the register, and the disappearance of the deacon, lost in that boundless empire, and separated from clerical functions, otherwise Ivan would have discovered him by his agents.

But Ivan's only eager listener was the old peasant. Daria had lost faith in human tribunals, and had no personal desire for wealth. With her the heart predominated over the pocket. Her great grief now was her alienation from the mother of Alexis, her old benefactress. She often said that if any one would only confine her in one prison with Anna Petrovna, she would regain her confidence and her love. But her old patroness was physically inaccessible to her—at the capital nine months in the year, and shut up the rest; dragons at every door, under the chief dragon Vladimir, who seldom went near his office, but just cannily bribed everybody who objected to his frequent absences.

So rolled the years away, till one day Ivan Ulitch, now a keen lawyer in good practice, came to the cottage, "bearded like the pard," and somewhat changed in manner, more authoritative.

"The time is come," said he; "the plum is ripe."

Daria rose quietly and was about to retire, but Ivan requested her to stay.

She said it was not necessary; her father would tell her; besides, Alexis was calling for her.

"Then let him come to you," said Ivan, firmly. "It is for him I have been working, as well as for you. I think I have a right to look at him."

"Oh, yes," said Daria, coloring up, and brought the boy in, and with her native politeness said to him, "Alosha, this is a good friend to you and me; shake hands with him."

Alexis shook hands directly.

"And now sit quiet, my dove."

Her dove sat quiet, and opened two glorious eyes on Ivan Ulitch.

"Daria Kirilovna," said Ivan, "if you submit to that knave Plutitzin, you let him rob this boy out of his right. The moment your marriage is established, he is the owner of Staropolsk and the heir of Anna Petrovna. Now do you love the son of Alexis Pavlovitch—great Heaven! how like he is to his father!—do you love him like a child or like a woman?"

The poor thing held out her arms to Alexis with an inarticulate cry, the sacred music of a mother's heart. Alexis ran to her. She was all over him in a moment, and nestled his head in her bosom, and rocked a little with him. "Do I love my heart and soul? Do I love my pigeon of pigeons?"

"I love *you*, mammy," suggested Alexis.

"Ay, my heart of hearts; but not as your mammy loves you. How could you?"

The men said nothing, but their eyes were moist, and Ivan felt ashamed he had said anything that could be construed into a doubt. He began to stammer excuses.

"Nay, nay," said Daria. "I know what you meant, and I deserve it. The love of my precious has been all I needed. I ought to look forward to the days when he will be a man, and perhaps ask why I neglected his interests, and his good name as well as mine. My faithful friend, if you are to be our lawyer, I will try once more—for my Alexis. I will face that dreadful court again for my Alexis."

"Victory!" cried Ivan Ulitch, starting up and waving his cap.

Alexis approved this behavior highly. It was so new in that staid house. "Victory!" he cried, and caught up his pork-pie to wave it, but was cut short, and nearly smothered with kisses.

"Here is a change of wind," said the old man, dryly; "but excuse me, son Ivan, it is not victory yet. These young women they hang back and pull against you, and then all in a moment start off full gallop, and neat-leather reins won't hold them. But I must have my word too. The last

trial cost me all my savings in one day. Will this cost as much?"

"The double."

"And am I to pay it?"

"You will not pay one solkov. I shall pay it, and this boy's inheritance will repay it with interest."

"Good! On these terms law is a luxury."

"Not to me, if my best friend is to risk his money for us," said Daria.

"That is my business," retorted Ivan Ulitch, curtly.

Daria apologized with feigned humility, but made an appeal. "Now, father—"

"Why, girl," said he, "the longer we live, the more we learn. He is not the calf he was when he first got tethered to your petticoats. He is a ripe lawyer now, by all accounts, and as sharp as a vixen with seven cubs. For all that, Mr. Lawyer, I should like to know whether that register book will come against us."

"Of course it will; it is the pillar of the defense."

"Then it will beat us again."

"I think not."

"Then how—"

Ivan interrupted him. "Kyril Kyrilovitch, you said right; 'the longer we live, the more we learn.' Well, I have lived long enough to learn that in ticklish cases it is best to tell nobody what cards we mean to play. The very birds of the air carry our words to the other side. I will say no more than this. I have spies in the very home of Anna Petrovna. At present she knows neither me nor Plutitzin. She shall know us both, and it is not *my* witnesses that the enemy's gold shall put out of the way during the trial. It is I who will bottle the wine, and keep it in cellar for use. All I require of you is not to breathe to a soul that we even intend to appeal against that judgment. If you breathe a syllable, you will cut your own throats and mine."

Before he left he recurred to this, and once more exacted a solemn promise of secrecy. This done, he cut his visit short and went home.

It would be out of place and unnecessary to follow Ivan Ulitch Koscko in all his

acts. Suffice it to say that he now began to gather certain fruits he had been years maturing. But one of the things he did was, to the best of my belief, new in the history of mankind. In the first place it was a piece of knavery done by an honest man. That is unusual, but far from unique. But then it was done for no personal gain, and mainly out of love of justice, and justice had little chance of success without the help of this injustice. To this singular situation add the act itself and its unique details, and I think you will come to my opinion that, old as the world is, this precise thing was never done upon its surface before that day.

Well, then, Ivan Ulitch and the new deacon were bosom friends, and that friendship had been planted years ago, and sunned and watered and grown and ripened for this one day's work.

The deacon went a day's journey, leaving Ivan some ecclesiastical deeds to decipher and comment on in his house. Ivan breakfasted with him, and after his departure showed the deacon's housekeeper the work he had before him, and said: "Now, Tania, mind I am not here. I can't do such work as this if I am interrupted. Do not come near me till three o'clock, nor let any one else."

Tatiana, with whom he was a special favorite, promised faithfully, and proved a very dragon.

Ivan took out of his lawyer's bag a corkscrew, various vials containing inks and chemicals, paper, numberless pens, and other things not worth enumerating, and out of his pockets magnifiers set in spectacles, and things like surgeon's instruments.

He went to a little book-shelf, took out a book, and found a key; with this key he opened an old oak chest, clamped with iron, and found a book with vellum leaves and a parchment cover brownish with age. It was the register. This book was made near a century ago by a priest who was an enthusiast. Common as skins are in Russia, this use of vellum was very rare.

He read several pages. He put on magnifiers, and examined the fatal entry;

then, without removing his magnifiers, he proceeded with his surgical instruments to efface the name of Kusmin Gavrilovitch Petroff. In this work he proceeded with singular gentleness and slowness. He was full two hours effacing that one name. Then he heated an iron the size of a walnut, and, after trying it on other parts of the book, ironed down his work so that it was no longer visible to the naked eye, but only to a strong magnifier.

Then with various inks and various pens he set to work to imitate on paper the handwriting of the late deacon and the words Kusmin Gavrilovitch Petroff, for which he had previously searched when he read the other pages, and found an example readily, for it was a common name.

When he had mastered the imitation, he took a hand magnifier and wrote Kusmin Gavrilovitch Petroff over the place of the old signature. Then he put the book in the sun and let his work dry. It dried a trifle paler than the rest of the book, but with a crow-quill he added the requisite color here and there.

The work was hardly finished when a heavy knock at the door made him start and tremble.

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## CHAPTER V.

"WHAT is it?"

"Five o'clock," replied the voice of Tatiana.

And he thought it was about one.

He begged for half an hour more, and began to tie up the old papers with fingers that trembled now for the first time.

He put away the register, locked the chest, put the key in its hiding-place, unbolted the door, and asked Tatiana for a glass of brandy.

She brought it him directly, and said he needed it.

"No matter," said he; "the work is



done." He drank Tatiana's health, and went away gayly.

Tatiana went into the room, and found the pile of old papers all neatly done up and tied. "Musty old things!" said she. "'Tis a shame a comely young man like that must bury his nose in such old-world muck. Smells like the grave; no wonder he got pale over them, the nasty trash."

Soon after this Ivan appeared at the cottage with affidavits to be signed by Daria Kyril, and others, and in due course moved for a new trial upon numberless depositions alleging fraud, suppression of evidence, inefficient inquiry, recent discoveries, non-existence of an imaginary husband palmed upon the court, etc.

The notice of motion was served on Anna Petrovna and Vladimir Alexéitch. Anna Petrovna declined to move hand or foot. Vladimir opposed by powerful counsel, but the court could not burke an inquiry supported by such a mass of affidavits.

Vladimir, however, was very successful in another branch of policy. Even as Fabius wore out Annibal, he baffled the plaintiff, "ad cunctando restituit rem."

First, Anna Petrovna, whom he had the effrontery to call his leading witness, though he knew "oxen and twain ropes would not drag her" into court.

Then at the end of three months he was ill himself.

Then, just as the trial was coming on, he could not find the late deacon. He had suddenly disappeared from Russia, and was said to be in Constantinople.

And so he sickened the adversaries' hearts, and they began to fear the new trial would not come on in their lifetime, if at all.

It was actually delayed eighteen months by these acts. But Ivan was not idle. He got the local press to insert timid hints of a most important trial unreasonably delayed. He even got a hint conveyed to the president that the right of postponement was being extended to a defeat of justice, and at last a sturdy judge said: "No. At the last trial you relied mainly on an evidence that is easy of access. It is a sufficient defense, and you disclose no

other. The cause ought to be tried during the lifetime of all the parties interested."

Then he appointed a day.

The trial came on, with great expectation, in the leading court of Petersburg.

This time there were three judges.

To avoid weariness, I shall confine myself to such features of this trial as were new.

At the first trial Daria was dressed like a lady, and was interesting by her pale beauty and manifest pregnancy.

At this trial she was more beautiful, but dressed like a superior peasant, and her lovely boy like a noble, in rich silk tunic, boots, and cap with feather. So with a woman's subtlety did she convey that she came there for her son's rights, not her own.

The court was full of ladies, and they all found means to telegraph their sympathy, and keep up her fainting heart as she sat there with her boy's hand in hers.

As to the evidence, the depositions of the old witnesses were taken down by the local court, and merely read at Petersburg. To these were now added certain facts, also proved on the spot, one being the adoption by Anna Petrovna of their client. They proved by many female witnesses her virtue from her youth, and that she was not the woman to live paramour with any man.

They were more particular as to the banns, and proved by oral testimony of several persons that not Kusmin Petroff, but Alexis Staropolsky, was cried in church with Daria Solovieff.

They then tried to prove a negative, that nobody had seen Petroff, but one of the judges stopped them. Said he, "It does not lie on you to produce Petroff. The other side will do that."

"We doubt it," said the advocate.

"Then all the better for you," said the judge.

From Daria herself they elicited that no man called Petroff had ever written or spoken to her either before or after her marriage, and that ten minutes after the wedding she and Alexis had met Vladimir Alexéitch, the real defendant, just outside

the town, and her husband and he had exchanged looks of defiance.

They proved by another witness the arrival of Vladimir in the town about half an hour after the wedding, and that he was seen to go into the church at once, and come out with the deacon.

Vladimir, there present, began to persevere at every pore.

When the defendant's turn came, his counsel told the court all this had been put forward at the last trial, and had been met triumphantly by an obvious solution, viz., that the late Alexis Staropolsky had loved a beautiful woman, who had never deviated from the paths of virtue before, and was only persuaded under cover of a marriage ceremony. At that point, however, the young noble had protected himself against a mésalliance, and substituted a convenient husband, who was to disappear, and did disappear; but the good simple deacon had recorded all he saw or divined—the real marriage.

"A real marriage without banns," suggested one of the judges.

"So it appears," said counsel, indifferently. "I am not here to bind the plaintiff to Petroff, but to detach her from Staropolsky. The register is here. The plaintiff married Petroff or *nobody*. The proof is technical, and it is the proof the law demands. This court does not sit to make the law, nor to break the law, but to find the law."

"That is so," said the president. "Let me see the book."

The book was handed up. The judges examined it, and all looked grave.

Counsel proceeded to prove the handwriting, as before, by secondary evidence.

One of the judges objected. "This writing is opposed to such a weight of oral testimony that we shall expect to see the writer of it."

Counsel informed the court that they had hunted Russia for him, but could not find him. "For years after this business he lived near Viatka, but now we have lost sight of him. Had the plaintiff appealed in a reasonable time, we should have had the benefit of his personal evidence."

"There is something in that," said the judge. Another remarked that entries in the same handwriting preceded and followed the entry in question. A third judge found another Petroff exactly like the writing of the fatal Petroff, and so, after a snarl or two, they excused the absence of the old deacon.

Vladimir's counsel whispered him, "You are lucky; the case is won."

The judges retired to take some refreshment and agree upon their judgment.

They left the register behind them. Ivan got it from the clerk and examined it carefully. The other side looked on sneeringly.

Ivan moved his finger over the entry, and whispered, "It feels rough here."

"Indeed," said his counsel. "Yes, I think it does. Don't say anything; get me a magnifier."

Ivan went out, and soon found a magnifier, having brought three with him into court for this little comedy. Counsel applied it.

"The vellum appears to be scraped in places," said he. "Now let me see. We will flatter the president." Just then the judges entered, and this foxy counsel said, respectfully, "We have found something rather curious in this entry; but my eyes are not so good as your excellency's. Would you object to examine it with a magnifier?"

The judge nodded assent. The book and magnifier were handed up to him. He examined them carefully, and said that he thought some name had been erased and another written over it.

At that there was an excited murmur.

"But," said he, "we must take evidence, for this is a serious matter. You must call experts. And *you*, please call experts on your side, for they seldom agree."

The trial was postponed an hour, and the court seemed invaded with bees.

Ivan got experts, and sat quaking and wondering how much experts really knew. "*We* suspect erasure," said he, to guide them.

In the box those two saw erasure of some word previous to the writing of Petroff. But they could not say what word it was. Did not think it was Petroff.

The other two saw erasures, or else scraping, but thought it was rather the light scraping of vellum that is sometimes done to get rid of the grease, etc., and make a better signature. But agreed with the others that the words were written over the scraping.

One of the plaintiff's experts was recalled and asked his opinion of that evidence.

Said he, "I was surprised at it, because in preparing parchment for writing nobody scrapes in the form of the coming signature; one scrapes a straight strip."

Here the judge interposed his good sense. "Look through the book," said he, "and tell me in how many places the vellum has been scraped before writing."

He looked and could not find one but this entry.

They battled over it to and fro, and at last one of the experts swore that Daria's name and Petroff's were not written with exactly the same ink; more gum in the latter.

After a long battle of experts the judges compared notes, and the president delivered judgment.

"This is the case of Substance *v.* Shadow.

Here is a weight of evidence to prove that the plaintiff is a virtuous woman, adopted for her superior qualities by the mother of the deceased, and that mother, described before the trial as a leading witness, does not appear to contradict her on oath. The plaintiff and Alexis Staropolsky are traced to Samara, seen there as lovers by many; their banns are called, and they are accompanied to church by living witnesses. They go from the church door and meet the defendant, who dares not enter the witness-box and deny this. They cohabit, and a son is born, but the husband dies. This calamity is taken advantage of to defeat the right with shadows. The first shadow is Kusmin Gavrilovitch Petroff; he is never seen to enter the church door or leave it. If he was present at the ceremony, he came in at the window, departed out of the window, and vanished into space. But more probably he is a *nom de plume*. A certain deacon erased some other name, and then wrote over the vacancy this *nom de plume*,

and then made himself a shadow. We need not go into conjectures as to what name was originally written in that registry. That might be necessary under other circumstances, but here there is a chain of evidence of living witnesses to prove the marriage of Daria Kirilovna Solovieff and Alexis Pavlovitch Staropolsky. It is encountered by no man and no *thing*, but a mutilated book recording a *nom de plume* upon an erasure. The judgment must be for the plaintiff. The marriage was legal, and her son is legitimate. Their material rights will no doubt be protected in another court upon due application."

The people rose, the ladies waved their handkerchiefs to Daria and her beautiful boy, and he actually kissed his hand to them with the instinct of his race.

Out of court there was a joyful meeting, and Daria actually took Ivan by the shoulders and kissed him on both cheeks. But she was away again so quick that the enraptured but modest lover never kissed her in return, he was so taken by surprise. However, he remembered the gentle onslaught with rapture. He sent her home with certain instructions. He remained to do her business. The case was reported, and he sent six copies of journals to the house of Anna Petrovna. One of the two copies sent to herself was in a light parcel surrounded by lace, for he felt sure Vladimir had taken measures to intercept information of any kind.

He then moved the Orphan Court to attach the separate estate of Alexis, deceased, give the widow her third, and put the rest in trust for Alexis junior.

The other party, however, asked a brief delay to argue this, and meantime gave notice of appeal to the Senate on the question of marriage and legitimacy.

Vladimir wrote to Anna Petrovna, bidding her be under no anxiety as to the final result. They should accuse the other side of tampering with the register.

However, when this letter reached her, Anna Petrovna was another woman. The journals directed to her house were intercepted, but the parcel of lace reached her, and inside it was the report, and this line:

"Sent in this form because important communications to you have been constantly intercepted since you put yourself in the power of your son's worst enemy."

"Can this be so?" said Madame Staropolsky. "No, it is a calumny. I will not read this paper." She tossed it from her.

On second thoughts she would read it, out of curiosity, just to see by what arts these people had deceived the judges.

She read the report word for word, read it with carefully nursed prejudice fighting against native justice and good sense, and a sort of chill came over her. She had resigned her intelligence to Vladimir for seven years. Now she began to resume it.

"Oh, foolish woman," she said, "to go on year after year hearing but one side in such a case as this! Virtuous! Yes, she was: and he impetuous and willful. How often have these two things led to a més-alliance?"

She went over all the points of the judgment, and could not gainsay them.

She sat all day and brooded over the past, and digested the matter, and was sore perplexed. Next day, while she was brooding, the old nurse of the family, whom Vladimir had been unable to corrupt, put into her hands a note.

"From whom?" she asked.

"From one who loves you, my heart's soul."

"Ah! What, has she bewitched *thee*?" She opened the note with compressed lips, but hands that trembled a little.

"ANNA PETROVNA—How can we deceive you? You have eyes and ears, and more wisdom than the judges; pray, pray let us come to your feet for judgment. I will abandon all my rights if you look us in the face and bid me. DARIA."

"The witch!" said Madame Petrovna, trembling a little. "She thinks I cannot resist her voice. And can I? Ay, nurse, she will abandon her rights, but not her son's."

"Can you blame her, my heart?"

"No," said the lady, with a blunt honesty all her own.

Then she sat down and wrote, with her most austere face: "Come, if you have the courage to meet the mother of Alexis."

She sent the nurse off with this in a fast troika; and when the nurse was gone, she regretted it. Daria was a woman now, and a mother defending her child. What chance would the truth have if she resisted it with that voice of hers and all a mother's art?

Then again she thought: "No, I have my eyes as well as my ears, and I am a mother too. She cannot deceive me."

Some hours passed, and the carriage did not return.

Then she said: "I thought not. It was bravado. She is afraid to come."

Then she began to be sorry Daria was afraid to come.

Meantime Daria was dressing the boy in a suit she had bought in St. Petersburg expressly for this long-meditated, longed-for, and dreaded interview. The suit was the very richest purple silk—cap, tunic, and trousers tucked into Wellington boots; in the cap a short peacock's feather. This was all the motherly art she practiced. She prepared no tale nor bewitching accents, and she trembled at what she was going to do.

Anna Petrovna, finding she did not come, rang and inquired whether the nurse had come back.

"No."

"Has the carriage returned?"

"No."

Another hour of doubt, and wheels were heard.

Anna Petrovna seated herself in state, and steeled herself.

The door opened softly, and two figures came toward her down the vast apartment.

It was the young Alexis and his mother. I put him first because his mother did so. She kept him a little before her to bear the brunt; with a white hand on his shoulder, she advanced him, and half followed, like a bending lily, with sweet obsequious Oriental grace.

As they advanced Anna Petrovna rose rather haughtily at first; but no sooner were they near her than she uttered a cry so loud, so passionate, though devoid of

terror, that it pierced and thrilled all hearts without alarming them.

"My boy, my child, come back from the dead—where—how? Am I mad—am I dreaming? No, it's my child, my beautiful child! He is seven years old—the painter has just left. Jesu! this is Thy doing. Thou hast had pity on another bereaved mother."

Her age left her. She was down on her knees before the boy in a moment, and held him tight, and put back his hair, and gazed into his eyes, and devoured him with kisses. "Lawyers, witnesses, judges, mortal men, this is beyond your power. Nature speaks. God gives me back my darling from the dead. Bless *you* for giving me back my own—my own, own, own. To my arms, my children." Then all three were locked in one embrace, and the tears fell like rain. Blessed, balmy dew of loving hearts too long estranged!

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## CHAPTER VI.

THERE are scenes that cannot be prolonged on paper. It would chill them. I shall only say that long after the first wild emotion had subsided Anna Petrovna and her new-found daughter could not part even for a moment, but must sit with clasped hands looking at their child, to whom liberty was conceded in virtue of his sex, and he roamed the apartments inquisitive, followed by four eyes.

Another carriage was sent to the cottage for clothes. Daria and her boy were kept for—ever; and, to close the salient incidents of the day, Anna Petrovna hurried off a letter to Vladimir, peremptorily forbidding him to appeal against the decision, and promising him, on that condition, a liberal allowance during his lifetime out of the personal estate of the writer, for she had saved a large sum on the estate.

Two days later came Ivan Ulitch, who had been at the cottage and learned the reconciliation. The object of his visit was to secure his beloved Daria from molestation from Vladimir Alexéitch, who, he felt sure, would return very soon. He brought with him a hangdog-looking fellow, who had been a servant in the great house, and expelled. Ivan sought an interview. Daria's influence secured it to him directly. He came into the room with this fellow crouching behind him.

Anna Petrovna, with her quick eye, recognized both Ivan and the man directly.

"I am pleased," said she, "to receive a faithful friend of my dear daughter, and sorry to see him in bad company."

"Madame," said Ivan, "do not regard him as anything but a minister of justice. A greater villain than he ever was intercepted two letters that even a fiend might have spared. This poor knave found them afterward in Vladimir's pocket, read them, and copied their contents, and placed his copies in the envelopes. Pray God for fortitude, dear lady, to read these letters, and know your enemies, since now you know your friends."

As he spoke he held out two letters. Anna Petrovna took them slowly. She opened one of them with a piteous cry. It was from Alexis, announcing his marriage, but protesting love and duty, and asking pardon in tender and most respectful terms. "Our lives," said he, "shall be given to reconcile you to my happiness."

While she read her face was so awful and so pitiful that by tacit consent they all retired from the room, and left her to see how she had been abused. When they came back they found her on her knees. She had been weeping bitterly to think that her son had died unforgiven because she had been deceived by a reptile.

As she suffered deeply, so she acted earnestly.

She called all her servants, and gave them a stern order.

She dismissed the steward on the spot for complicity with Vladimir, and she offered Ivan the place, with rooms in the

house. He embraced the offer at once, to be near Daria.

Daria and she were rocking together, and Daria's sweet voice was comforting her with a long prospect of love and peace, when grinding wheels and barking curs announced the return of Vladimir.

Ivan left the room hastily, saying, "Leave him to me."

For the first time in the memory of man the great door of that house did not open to a visitor. Vladimir had to knock. The hall re-echoed with the heavy hammer.

Then the door opened slowly, and displayed a phalanx of servants planted there grimly, not to receive but to obstruct.

They forbade him, by order of Anna Petrovna, to enter, and were as insolent as they had been obsequious.

He threatened violence. They prepared to retort to it. When he saw that, the Asiatic re-appeared in him. "May I ask for a reason?" said he, very civilly.

Ivan stepped forward. "Sir," said he, "a dishonest servant took two letters you intercepted. They were written at Petersburg after the marriage. He substituted copies, and the bereaved mother is weeping over the originals."

"Ah!" said Vladimir, and was silent. He literally fled. His face was never seen again in that part of Russia. Yet he had the hardihood to claim the promise of a pension, and that high-minded woman, who could not break a promise,

flung it him yearly through her steward, Ivan Ulitch.

Balmy peace and love descended now on the house, and abode there. Alexis and Ivan grew older, but Anna Petrovna younger. Her daughter's voice and her daughter's love were ever-flowing fountains of gentle joy; still, like Naomi of old, her bliss was in her boy. His father and he seemed blended in her heart, and that heart grew green again.

Ivan is calmly happy in the present and in the certainty that Daria will never marry any man but him, and in the hope that one day Anna Petrovna will let him marry her. At present he is afraid to ask her for the mother of Alexis. But Alexis is paving the way by calling him "my father." It rests with Anna Petrovna; for if she says the word, Daria will marry Ivan merely to please a good friend, and afterward be surprised to find how happy he can make her.

He has never revealed, and never will, that masterstroke of fraud with which he baffled fraud and perpetuated right by wrong.

He is right not to boast of it, and I hope I may not be doing ill to record it. The expression so many French writers delight in, "a pious fraud," is the most Satanic phrase I know.

I did not invent the maneuver which is the point of this tale, and I pray Heaven no man may imitate it.

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## RUS.

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My dear lamented brother William Barrington Reade was first a sailor, then a soldier, then a country squire, and had from his youth an eye for character and live facts worth noting by sea or land. He furnished me from his experiences several tidbits that figure in my printed works;

for instance, in "Hard Cash," the character and fate of Maxley, and the maneuvers of the square-rigged vessel attacked by the schooner; also the mad yachtsman, and his imitation of piracy, in "The Jilt," etc. So now I offer the public his little study of a real character in rural life.

Indeed, such quiet things may serve to relieve the general character of my work; for pen in hand, I am fond of hot passions and pictorial incidents, and, like the historians, care too little for the "middle of humanity."

George Moore, a shoemaker, with a shock head of black hair, a new wife, half a hundred of leather, and two sovereigns, came over from Ewelme to Ipsden, and applied to my father for a cottage on Scott's Common. It was a very large cottage; the kitchen between twenty and thirty feet long; old style—smoked rafters, diamond panes, etc.

A shed, pigsty, and two paddocks went with the tenement. Rent of the lot, £11. Moore became the tenant, made boots and shoes incessantly for years, and sold them at Henley, Reading, or Wallingford market.

He would carry in a sackful on his back, stand behind them in the market-place, and if he got rid of them, would often buy a pig or a cow, or even a pony, with such excellent judgment that he always made a profit; and when he bought at a fair he often sold his purchase on the road, for the nimble shilling tempted him. One of his declared axioms was, "Quick come and safe keep."

In 1849 my brother inherited the Ipsden estates, and a year or two afterward occupied an old house of his near Scott's Common, and so he became Mr. Moore's neighbor. He soon found out to his delight that this shoemaker was a character, his leading traits ostentatious parsimony, humorous avarice, and jolly dissatisfaction; his phraseology a curious mixture of rural dialect and metropolitan acumen.

As many of his sayings sounded like proverbs, my brother once, to gratify him doubly, said, "Mr. Moore, neighbors should be neighborly," and set him to measure his growing family for shoes. He might as well have given the order to Procrustes: Moore made shoes for *shops*; he expected feet to fit his shoes; and, after all, live leather is more yielding than dead.

The bill was settled one half-penny short. From that day, although Moore's conversations with my brother rambled over various topics, they always ended one way—

"Beg pardon, sir, but there was a half-penny to come last account."

Then the humorist would fumble for this half-penny, but never find it. He used it as a little seton.

Moore once related to him his visit to a road-side hotel in the old coaching days.

"I came in mortal hungry, squire, and there was a table spread. Don't know as ever I saw so much vittles all at one time. Found out afterward it was for the passengers' dinner. Sets me down just before the beautifullest ham—a picture—takes the knife and fork, and sets there with my fistes" (pronounced mediævally "fistys") "on the table, and the knife and fork in 'em. 'Landlerd,' says I to a chap in a parson's tie, 'be you the landlerd?' No; he was the waiter. 'Then,' says I, 'you tell the landlerd I wants to speak to 'un very particular;' so presently the landlerd comes as round as a bar'l mostly. 'Landlerd,' says I, with my fistes on the table, and the knife p'inting upwards, 'I must know what the reckoning ool be afer I sticks my ferk into't.'"

Somebody with whom he traded wanted one shilling and tenpence more than his due in a considerable transaction. Moore made the parish ring.

However, he appears in this case to have thought he owed mankind in general, and Scott's Common in particular, an explanation, so he gave it to the gamekeeper, Will Johnstone, Johnstone retailed it at the "Black Horse," and round it came to my humorist, *viâ* the gardener.

"Ye may say one shilling and tenpence is a very little sum. Here's Moore running all over the parish after one ten. But it's a beginning. A text is a little thing; but parson can make half an hour's sermon on't."

Rustic Oxfordshire has never within the memory of man accepted that peevish rule of the grammarians, "Two negatives make an affirmative." We have a grammatical creed worth two of that. We hold that less than two negatives might be taken for an affirmative, or at least for an assent.

A Cambridge man, whom his college, St. John's, transplanted into my county

as an incumbent, declared to me once that he heard a native of my county address a band of workmen thus: "Ha'n't never a one of you chaps seen nothing of no hat?"

Moore accumulated negatives as if they were half-pence. A neighbor to whom he had now and then lent a spade, or a frying-pan, or a fagot, offended him, and they slanged each other heartily over the palings. Moore wound up the controversy thus: "Don't you never come to my house for nothing no more, for ye won't get it."

The population of Scott's Common is sparse, but the dialogue being both long and loud, seven girls had collected, from four to thirteen years old. With this assembly Moore shared his triumph. "There, you gals, I have sewed up *his* stocking," said George Moore.

Scott's Farm was a small holding surrounded by woods, flat enough when you got up to it, but on very high ground. Not a drop of well-water for miles. The men drank no liquid but beer; the women, tea and tadpoles.

None of the larger tenants would be bothered with "Scott's." But small farmers are poor farmers and unsuccessful. One or two failed on it, and it was vacant. The homestead was a picture to look at, and in the farmyard a natural cart shed, perhaps without its fellow, an old oak tree twenty-seven feet in girth, and of enormous age. The top was gone entirely; so was the inside. Nothing stood but a large hollow stem with three or four vertical chasms, one so broad that a cart could pass into the wooden funnel. Yet that shell put out the greenest oak leaves in all the countryside. An artist could have lived at Scott's Farm and made money. But the acres attached to the delightful residence made it a bad bargain to farmers; for the acres and the low rent tempted the tenants to farm.

Now you must understand that for a long time past Ireland has been telling England a falsehood, and England swallowing it for a self-evident truth, and building rotten legislation on it, viz., that the rent is the principal expense of a farm.

It is not one-fifth the expense of a well-tilled farm; and of an ill-cultivated farm

not one-tenth, for it is the last thing paid.

Scott's Farm was one out of a hundred examples I have seen. The rent of seventy-five acres, plus a charming house and homestead, was fifty pounds. Yet one bad farmer after another broke on it, and grumbled at the rent, though it could not have been the rent that hurt him, for he never paid it.

Well, Mr. Moore called on my brother, and offered to rent Scott's Farm.

My brother stared with amazement, then said, dryly, "Did you ever do me an injury?"

"Not as I know on, squire; nor don't mean to."

"Then why should I do you one? Scott's? Why, they all break on it."

"Oh!" said Moore, "folk as ha'n't got no head-piece, nor no money neither, are bound to break on a farm. 'Tain't to say George Moore is going to break."

My brother replied: "Oh, I know you are a good judge of live stock, and I dare say you have picked up a notion of farming. But you see it requires capital."

"Well, squire," said the shoemaker, "I'm not a thousand-pound man, but I'm a nine-hundred pound man. I'll show you some on't," and he actually pulled out of his breeches-pocket £700 in bank-notes, and presented them as his references. In short, he rented Scott's Farm.

But my brother could never bear anybody who *amused* him to come to grief, and so for a time he was in anxiety lest Moore should lose the money he had acquired by his industry and kept by his economy. However, the new tenant stocked the farm, which his predecessors had not done, and let fall remarks indicating prosperity, as that a farmer had no business to go to his barn-door for rent, and that *he* could make a living anywhere. Besides, the rising ricks spoke for themselves.

I believe he had been tenant nine months when, one day, my brother, seeing him smoking a pipe over his farmyard gate, dismantled expressly to talk to him.

Mr. Moore's first sentence betrayed that he was no longer a shoemaker.

"Look 'ee here, squire, a farming man



wants to have four eyes, and three hands: two for work, one is always wanted in his pocket—rent, tithe, labor, taxes, rates. Why, the parish tapped me three times last month. My wife got behind in her washing through wasting of her time counting out the money I had to pay away. As to my men, I be counted sharp, but I must be split in two to be sharp enough for they.”

“I was afraid you would find the rent heavy,” said my brother, innocently.

“The rent!” cried Mr. Moore; “I don’t vally it that!” and he snapped his fingers at it. “But how about the labor—men and horses, and women; and the three crops of weeds on one field, through me coming after tipplers and fools as left the land foul for Moore to clean after they. And then—” He paused, and jerking his thumb over his shoulder, added, “THE BLACK SLUG THAT EATS UP THE TENTH OF THE LAND.”

My brother did not understand the simile one bit till he followed the direction of Mr. Moore’s thumb, and beheld a beneficed clergyman crossing the common like a lamb, all unconscious of the injurious metaphor shot after him by oppressed agriculture.

Having suppressed a grin with some difficulty, my brother said, gravely: “I’ll tell ye what it is, Moore; if you went to church a little oftener, you would find out that the clergy are worth their money to those who go by their advice in this world, and so learn not to forget the next. Come, now; our parson has no tithes, and only a very small stipend, yet I never see you at church. Surely you might go once on a Sunday.”

Now I must premise that Mr. A—, justly dissatisfied with the morals of that parish, preached sermons which were in fact philippics.

“Why, squire,” answered Moore, “I have tried ’un. But I do take after my horses: I can’t stand all whip and no earn.”

Undaunted by the comparison, his landlord gravely reminded him that there were prayers as well as a sermon, and prayers

full of charity, and fitted to all conditions of life.

“Well, squire,” said the farmer, half apologetically, “I’ll tell you the truth; I never was a hog at prayers.”

It was a pity he could not add he never was greedy of this world’s goods.

One day my brother heard his voice rather loud in the yard, and found him bargaining with a lad in a smock-frock—a stranger.

At sight of the squire the injured farmer appealed to him. “Look at ’un,” said he, “a-standing there.” The lad remained impassive as the gate-post under the scrutiny thus dramatically invited.

“A wants ten shilling a week, and three pound Michaelmas.” Then turning from my brother to the lad: “Now what did you have at your last place—without a lie?”

“Six shillings, and a pound at Michaelmas,” said the young fellow, calmly.

“And you thinks to rise me ten shillings! Now, tell ’ee what it is, young man, you hire yourself to keep the mildew out o’ my wheat, and the rot out o’ my sheep, or else draa no wages out o’ me. You make me safe as my horses shan’t go broken-winded, nor blind, nor lame, while you be driving on ’em, nor my cows shan’t slip their calves, nor my sows shan’t lay over their litters and smother ’em. I maunt have no fly in my turmots under you, my barley and wuts must come to the rick nice and dry and bright, and then I’ll pay you half a sovereign a week.” With sudden friendliness—“Where did ’ee come from?”

“Cholsey village.”

“How ever did ’ee find your way all up here?”

The lad said it was only six miles; he had found his way easy enough.

“Then you’ll find it easier back. Good-morning.”

And off he went. The lad put his hands in his breeches-pockets and strolled away unmoved in another direction; and my brother retired swiftly to take down every syllable of this inimitable dialogue. It afterward appeared that his was the only

genuine exit; the other two were examples of what the French dramatists call *fausse sortie*. For the very next day this Cholsey lad was at work for Mr. Moore.

"Halloo!" said my brother. "Why, you parted never to meet again—far as the poles asunder. Ha! ha!"

"Oh, that is how we *begins*!" explained Moore, with a grin. "Bought him at my own price. But" (with sudden gloom) "a *wool* have two pound Michaelmas, the risolute To-a-d."

Moore had a cur his wife implored him to hang out of her way. "Well," said he, "anything for a quiet life. You find the card; I'll find the labor."

Ere a cord was found Moore caught sight of the good easy squire; he came out and told him Toby had been poaching on his own account, and had better be tied up except when wanted. Offered him for three half-crowns, praised him up to the skies.

Squire Easy submitted to the infliction, and Toby was sent to the kennel.

Next week, Moore had made a bad bargain. "I let 'ee have Toby too cheap; I hear of all sides as he's the best rabbitier you ha' got, a regular hexpedition good dog."

He gave his landlord a piece of advice which, to tell the truth, that gentleman needed sorely; for he was never known to make one good bargain in all his life. Said Mr. Moore: "Don't you never listen to a chap as won't say aforehand how much he'll give or take to a farthing, or a half-penny at the *very* outside. When that there humbug says to you, 'Oh, we shan't quarrel,' says you, 'I'll take care of that, for down you puts it to a farthing.' When he says, 'Oh, I'll not hurt you,' says you, 'Oh, yes, ye will, if I give you a chance; put it down to a farthing, or I'm off.'"

He let his parlor and a bedroom to a lodger for fifteen shillings a week, a sum unheard of in those parts.

This transpired in a few months, and my brother congratulated him.

Here is his reply *ad verbum*:

"Why, squire, it doesn't all stick to me. There's my missus, she is took off her work

to attend to he. Then there's a gre-at hearty gal I'm fossed to hire. There goes eighteen-pence a week and her vittels. I tried to get a sickly one as wouldn't eat my head off, but there warn't a sickly one as 'ud come. Feared of a little work! Now" (with sudden severity) "do I get half a guinea out of he?" Then with a shout: "No!" Then with the sudden calmness of unalterable conviction: "Not by sixpence."

This seems a tough man, not to be easily moved, a wary man, not to be outwitted; yet misfortune befell him, and rankled for years.

My brother left Oxfordshire and settled in a milder climate. During his long sojourn there a vague report reached him that bad money had been passed on Moore, and he had made the district ring.

When after seven years my brother returned to his native woods, he looked in at Scott's Farm, and there was Moore, the only familiar face about which did not seem a day older. After other friendly inquiries my brother said:

"But how about the bad money that was passed on you? Tell me all about it."

"That I wool," said Moore, delighted to find a good listener to a grievance which to him was ever new, though the circumstance was five years old. "I was at duugcart most of that day, and then I washed and tried to get a minute to milk the cow; but bless your heart, they never will let me milk her afore sunset. It's Moore here, and Moore there, from half a dozen of 'em; and Mr. Moore here, and Mr. Moore there, from the one or two as have learned manners, which very few of 'em have in these parts; and between 'em they allus contrive to keep me from my own cow till dusk. Well, sir, I had got leave to milk her, hurry-scurry as usual, and night coming on, when a man I had sold a fat hog to came into the yard to pay. 'Wait a minute,' says I. But no, he was like the rest, couldn't let me milk her in peace; wanted to settle and drive the baacon home. So I took my head out o' the cow, and I went to him without so much as letting my smock down, and he gave me the money, £6

17s. I took the gold in one hand so, and the silver in t'other so, and I went across the yard to the house, and I asked the missus to get a light, and then I told the money before her, six sovereigns and seventeen shillings, and left her to scratch him a receipt, while I went back to my cow, and I thought to milk her in peace at last. But before I had drained her as should be, out comes my missus, and screams fit to wake the dead: 'George! George!' 'I be coming,' says I; so I up with the milk-pail and goes to her. 'Whose cat's dead now?' says I, 'for mercy's sake.'

"'Come in, come in,' says she. 'George, whoever is that man? He have paid us a bad shilling; look at that.' Well, we tried that there shilling on the table first, and then on the hearth: 'twas bad; couldn't be wus. 'Run after him,' says she; 'run this moment.' 'Lard,' says I, 'they be half way to Wallingford by this time. Here, give me a scrap of paper. I'll carry it about in my fob; he goes to all the markets; he will change it, you may be sure.'

"Well, the very next Friday as ever was I met him at Wallingford market, pulls out the paper, shows him the shilling, tells him it warn't good. He looks at it and agreed with me. 'Then change it, if you please,' says I. 'What for?' says he. 'I don't want no bad shillings no more nor you do.' 'But,' says I, 'price of hog was six seventeen, and you only paid six sixteen in money.' 'Yes, I did,' says he. 'I gave you six seventeen.' 'No, ye didn't.' 'Yes, I did.' 'No, ye didn't; you gave me six sixteen, and *this*. Now, my man,' says I, 'act honest and pay me t'other shilling.' No he wouldn't. There was a crowd by this time, so I said, 'Look here, gentlemen, I sold this man a hog, and he gave me this in part pay, which it ain't a *real* shilling, and mine was a genuine hog; so they all said it warn't a shilling at all. When the man heard that he was for slipping off, but I stepped after him, with half the market at my heels. 'Will you pay

me my shilling?' 'I don't owe you no shilling,' says he. 'You do,' says I; 'and pay me my shilling you shall.' 'I won't.' 'You shall; I'll pison your life else.'

"Next time of asking, as the saying is, was Reading market. Catches him cheapening a calf. Takes out shilling. 'Now,' says I, 'here's your bad shilling as you gave me for my hog—which it is a warning to honest folk with calves to sell,' says I. 'Be you going to change it?' 'No, I bain't.' 'You bain't?' says I. 'You shall, then,' says I. 'Time will show,' says he, and bid me good-day, ironical. I let him get a little way, and then I stepped after him. 'Hy, stop that gentleman,' I hallooed. 'He have given me a bad shilling.' You might hear me all over the market. Then he threatened defanation or summat; I didn't keer; I bawled him out o' Reading market that there afternoon.

"Met him at Henley next; commenced operations—took out the shilling. He crossed over directly, I after 'un, and held out the shilling. 'Tain't no use,' says I. 'You shan't do no business in this here county till you have changed this here shilling. Come, my man, 'tis only a shilling; what is all this here to do about a shilling?' says I; 'act honest and give me my shilling, and take this here *keep-sake* back.' 'I won't,' says he. 'You won't?' says I; 'then I'll hunt you out of every market in England. I'll hunt ye into the wilderness and the hocean wave.'

"He got very sick of me in a year or two's marketing, I can tell you; for I never missed a market *now*, because of the shilling. He had to give up trade and go home whenever he saw my shilling and me acoming."

"And so you tired him out?"

"That I did."

"And got your shilling?"

"That I did not. He found a way to cheat me after all" (with a sudden yell of reprobation). "He went and died—and here's the shilling!"

## BORN TO GOOD LUCK.

## I.

PATRICK O'RAFFERTY was a small farmer in the County Leinster. He and his father before him had been yearly tenants to Squire Ormsby for fifty years on very easy terms.

Patrick—more uneasy than his sire—now and then pestered this squire for a lease. Then the squire used to say, "Well, if you make a point of it, I will have the land valued and a lease drawn accordingly." But this iniquitous proposal always shut O'Rafferty's mouth for a time. He was called in the village Paddy Luck; and certainly he had the luck to get into a good many fights and other scrapes, and to get out of them wonderfully. It was he who set the name rolling; his neighbors did but accept it.

He professed certain powers akin to divination, and they were not generally ridiculed, for he was right one time in five, and that was enough, for credulity always forgets the usual and remembers the eccentric.

This worthy had a cow to sell, and drove her in to the nearest fair. He put twelve pounds on her, and was laughed at. She was dry, and she was ugly. "Twelve pounds! Go along wid ye." "Never mind *her*," was Pat's reply. "I'm Paddy Luck, and it's meself that will sell the baste for twelve pounds, and divil a ha'penny less." This was his proclamation all the morning. In the afternoon he condescended to ten pounds, just to oblige the community. At sunset he managed to get eight pounds, and a bystander told him he was a lucky fellow.

"That is no news, then," said he. It was dark, and he was tired; his home was twelve Irish miles off; he resolved to sleep

in the town. In the meantime he went to a tavern and regaled his purchaser, drank, danced, daffed, showed his money, got drunk, and was robbed by one of the light-fingered gentry who prowl about a fair.

The consequence was that the next time he ordered liquor on a liberal scale—for he was one who treated semicircularly in his cups—he could not find a shilling to pay, and the landlord put him into the street. He cooled himself at a neighboring pump, and went in search of gratuitous lodgings. The hard-hearted town did not provide these, so he walked out of it into sweeter air. He was not sick nor sorry. Quite the reverse. He congratulated himself on his good-luck. "Sure now," said he, "if I had sold her for twelve pounds, it's four pounds I'd be losing by that same bargain."

Some little distance outside the town he found a deserted hovel; there was no door, window, nor floor; but the roof was free from holes in one or two places, and there was a dry corner, and a heap of straw in it. Paddy thanked his stars for providing him with so complete and gratuitous a shelter, and immediately burrowed into the straw, and was about to drop asleep when the glimmer of a lantern shot in through the door-way, and voices muttered outside.

Patrick nestled deeper in the straw; he was a trespasser, and it seemed too late and yet too early for the virtues, charity included, to be afoot.

Two men came in with a sack, a spade, and a lantern; one of them lifted the lantern up and took a cursory glance round the premises. Patrick, whom the spade had set a shivering, held his breath. Then the man put the lantern down, and his

companion went to work and dug, not a grave, as panting Pat expected, but a big round hole.

This done, they emptied the sack; out rolled and tinkled silver salvers of all sizes, coffee-pots, tea-pots, forks, spoons, brooches, necklaces, rings—a mine of wealth that glowed and glittered in the light of the lantern.

Patrick began to perspire as well as tremble. The men filled in the hole, stamped the earth firmly down, and then lighted their pipes and held a consultation. The question was how to dispose of these valuables. After some differences of opinion they agreed that one Barney was the fence they would invite to the spot, and if he would not give one hundred pounds for the spoil they would take it to Dublin. It transpired that Barney lived at some distance, but not too far to come to-morrow evening and inspect the booty. Then, if he would spring to their price, they would go home with him and receive the coin.

“My luck!” thought Patrick. “What need had they to light their pipes and chatter like two old women about such a trifle, without searching the straw first, the omadhauns!” The thieves retired, and Lucky Pat went quietly to sleep.

He awoke in broad daylight, and strolled back into the town. He walked jauntily, for, if he had no money, he possessed a secret. He was too Irish and too sly to go to the police office at once; his little game was to try and find out who had been robbed, and what reward they would give.

Meantime he had to breakfast off a stale roll given him by a baker out of charity. About noon he passed through a principal street, and lo! in a silversmith’s shop was a notice, written very large:

### “THIRTY GUINEAS REWARD!

“Whereas these premises were broken into last night, and the following valuable property abstracted—”

Then followed an inventory a foot long.

“The above reward will be paid to any person who will give such information as

may lead to the conviction of the thieves and the recovery of the stolen goods, or any considerable part thereof.”

Patrick walked in and asked to see the proprietor. A little fussy man in a great state of agitation responded to that query.

“Are you in earnest now, sorr?” asked Pat.

“In earnest! Of course I am.”

“What if a dacent poor boy like me was to find you the silver and thieves and all?”

“I’d give you the thirty guineas, and my blessing into the bargain.”

“Maybe ye wouldn’t like to give me my dinner an’ all, by raison I’m just famishing with hunger?”

This proposal raised suspicion, and the proprietor asked his name.

“Patrick O’Rafferty. I’m tenant to Squire Ormsby.”

“I know *him*. Well, Patrick, I suppose you can give me some information. I’ll risk the dinner, anyway.”

“Ah, well, sorr,” said Patrick, “they say ‘fling a sprat to catch a whale.’ A rump steak and a quart of ale is a favorite repast of mine; when I have had ’em I’ll arn ’em, by the holy poker!”

“Step into my back parlor, Mr. Rafferty,” said the silversmith.

He then sent for the rump-steak very loud, and for a policeman in a whisper.

The steak came first, and was most welcome. When he had eaten it the modest O’Rafferty asked for a pipe and pot.

While he smoked and sipped calmly the disguised policeman arrived and was asked to examine him through a little window.

“Does he look like crime?” whispered the silversmith.

“No,” said the policeman. “Calf-like innocence and impudence galore.”

The jeweler asked O’Rafferty to step out. “Now, sir,” said he, “you have had your dinner, and I don’t grudge it you; but if this is a jest, let it end here, for I am in sore trouble, and it would be a heartless thing to play on me.”

“Och, hear to him!” cried Patrick, with a whine as doleful as sudden. “Did iver an O’Rafferty make a jist of an honest man’s trouble, or ate a male off his losses?

But what is a hungry man worth? I could not see how to do your work while I was famished, but now my belly is full, and my head fuller, glory be to God!"

"I don't know how it is," said the jeweler, aside to the detective; "he tells me nothing, and yet somehow he gives me confidence.—But, Mr. O'Rafferty, do consider: time flies, and I'm no nearer my stolen goods. What is the first step we are to take?"

"The first step was to fill my belly; the next step is to find me—oh, murder, it is a rarity!"

"Never mind," said the disguised officer. "Find you what?"

"A policeman—that isn't a fool."

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## II.

THIS was a stinger; and so sudden, his hearers looked rather sheepish at him. It was the policeman who answered.

"If you will come to the station, I will undertake to find you that."

Patrick assented, and on the way they made friends; his companion revealed himself and forgave the stinger, and Patrick, pleased with his good temper, let him into the plan he had matured while smoking his pipe and appearing to lose time. All Patrick stipulated was that he himself should be the person in command; and as he alone knew where the booty was, and was manifestly as crafty as a badger, this was cheerfully acceded to. So an hour before dusk, four fellows that looked like countrymen drove a cart full of straw up to the hovel, and made a big heap by adding it to what was there already.

Then two drove the cart back to the edge of the town, and put the horse up, and re-joined their companions in ambush, all but one, and he hid in a dry ditch opposite. They were all armed, and the outside watcher had a novel weapon—a power-

ful blue-light in the shape of a flat squib.

It is a dreary business waiting at night for criminals who may never come at all, or, if they do, may be desperate, and fight like madmen or wildcats.

Eight o'clock came—nine—ten—eleven—twelve; the watchers were chilled and stiff, and Patrick sleepy.

One of the policemen whispered him: "They won't come to-night. Are you sure they have not been and taken up the swag?"

"Not sure; but I think not." The policeman growled and muttered something about a mare's nest.

"Hush!" said another.

"What?" in an agitated whisper.

"Wheels!"

Silence.

They all remained as still as death. The faint wheels that would have been inaudible by day, rattled nearer and nearer. It was late for a *bona fide* traveler to be on the road. Would the wheels pass the hovel?

They came up fast; then they stopped suddenly. To the watchers everything was audible, and every sound magnified. When the drag stopped it was like a railway train pulling up. Men leaped out, and seemed to shake the ground. When three figures bustled into the hovel it sounded like a rush of men. Then came a thrilling question. Would the thieves examine the premises before they looked for the booty? The chances were they would.

Well, they did not. They were in great anxiety too, but it took the form of hurry. They dug furiously, displayed the booty to Barney all in a hurry, and demanded their price.

"Now, then, one hundred pounds, or take your last look at 'em."

"One hundred pounds!" whined Barney. "Can't be done."

"Very well; there's no time to bargain."

"I'll give eighty pounds. But I shall lose money by 'em."

"Blarney! They are worth a thousand.

Here, Jem, put 'em up; we can do better in Dublin."

Barney whined and remonstrated, but ended by consenting to give the price.

The words were hardly out of his mouth when the hovel gleamed with a lurid fire, so vivid and penetrating that every crevice of it and the very cobwebs came out distinct.

The thieves yelled with dismay, and one ran away from the light slap into the danger, and was dazzled again with opening bull's-eyes, and captured like a lamb. The other rushed blindfold at the entrance, but his temple encountered a cold pistol, and a policeman immovable as a statue. He recoiled, and was in that moment of hesitation pinned from behind and handcuffed—click! As for Barney, from whom no fight was expected, he was allowed to clamber up the walls like a mouse in a trap, then tumble down, until the four-wheel they had come in was brought up by Paddy O'Rafferty. Then the thieves were bundled in, and sat each of them between two honest men, and the fence was attached by the wrist to a policeman, who walked him to the same destination; but, like friend Virgil's bull, *multa reluctantem*, hanging back in vain, and in vain bribing the silent, impenetrable Bobby.

Pat slept at the station, and next morning the jeweler gave his thirty guineas with a good heart, but omitted the blessing. Patrick whined dismally at this very serious omission, and the worthy little fellow gave it him with glistening eyes, "For," said he, "I'll own now the loss would have ruined me. I find by my books they cost me thirteen hundred pounds."

So then he blessed him solemnly, and Pat went home rejoicing. "I'll have more luck than ever now," said he. "I'll have all sorts of luck—good, bad, and indifferent."

When he got home he told the story inaccurately, and like a monomaniac; that is to say, he suppressed all the fortitude and sagacity he had shown. These were qualities he possessed, so he thought nothing of them.

Luck and divination were what he prided himself on. His version ran thus: he had the luck not to sell his cow till night-fall, the still better luck to be robbed of his money, and compelled to sleep in the neighborhood. Then, thanks to his superlative luck, the queen's jeweler had been robbed of silver salvers the size of the harvest-moon, two-gallon tea-pots, pearls like hazel nuts, and diamonds as big as broad beans; and seeing no other way to recover them, and hearing that the wise man of Gannachee was in the town, had given him a good dinner and his pipe, and begged him to use all his powers as a seer; of all which the upshot was that he had put the police on the right track, and recovered the booty, and caged the thieves, and marched home with the reward.

In telling this romance he was careful to take out the thirty sovereigns and jingle them, and this musical appeal to the senses so overpowered the understandings of his neighbors that they swallowed the wondrous tale like spring-water.

After this few were bold enough to resist his pretensions to luck and divination. He was often consulted, especially about missing property, and as he now and then guessed right, and sometimes had taken the precaution to hide the property himself, which materially increased his chances of finding it, he passed for a seer.

One fine day Squire Ormsby learned to his dismay that his pantry had been broken into and a mass of valuable plate taken. Mr. Ormsby was much distressed, not only on account of the value, but the length of time certain pieces had been in his family. He distrusted the police and publicity in these cases, and his wife prevailed on him to send for Patrick O'Rafferty.

That worthy came, and heard the story. He looked at the lady and gentleman, and his self-deception began to ooze out of him. To humbug his humble neighbors was not difficult nor dangerous, but to deceive and then undeceive and disappoint his landlord was quite another matter.

He put on humility, and said this was a matter beyond him entirely. Then the

squire was angry, and said, bitterly, "No doubt he would rather oblige his neighbors, or a shop-keeper who was a stranger to him, than the man whose land had fed him and his for fifty years." He was proceeding in the same strain when poor Pat, with that dismal whine the merry soul was subject to occasionally, implored him not to murder him entirely with hard words; he would do his best.

"No man can do more," said Mr. Ormsby. "Now, how will you proceed? Can we render you any assistance?"

Patrick said, humbly, and in a downcast way, he would like to see the place where the thieves got in.

He was taken to the pantry window, and examined it inside and out, and all the servants peeped at him.

"What next?" asked the squire.

Then Patrick inwardly resolved to get a good dinner out of this business, however humiliating the end of it might be. "Sorr," said he, "ye'll have to give me a room all to myself, and a rump-steak and onions; and after that your servants must bring me three pipes and three pints of home-brewed ale. Brewer's ale hasn't the same spiritual effect on a seer's mind."

The order was given, and set the kitchen on fire with curiosity. Some disbelieved his powers, but more believed them, and cited the jeweler's business and other examples.

When the first pipe and pint were to go to him a discussion took place between the magnates of the kitchen who should take it up. At last the butler and the housekeeper insisted on the footman taking it. Accordingly he did so.

Meantime Patrick sat in state digesting the good food. He began to feel a physical complacency, and to defy the future; he only regretted that he had confined his demand to one dinner and three pots. To him in this frame of mind entered the footman with pipe and pint of ale as clear as Madeira.

Says Patrick, looking at the pipe, "This is the first of 'em."

The footman put the things down rather hurriedly and vanished.

"Humph!" said Pat to himself, "you don't seem to care for my company."

He sipped and smoked, and his mind worked.

The footman went to the butler with a scared face, and said, "I won't go near him again; he said I was one."

"Nonsense!" said the butler, "I'll take up the next."

He did so. Patrick gazed in his face, took the pipe, and said, *sotto voce*,

"This is the second;" then, very regretfully, "only one more to come."

The butler went away much discomposed, and told the housekeeper.

"I can't believe it," said she. "Anyway, I'll know the worst."

So in due course she took up the third pipe and pint, and wore propitiatory smiles.

"This is the last of 'em," said Patrick, solemnly, and looked at the glass.

The housekeeper went down all in a flutter. "We are found out, we are ruined," said she. "There is nothing to be done now but— Yes there is; we must buy him, or put the comether on him before he sees the master."

Patrick was half dozing over his last pipe when he heard a rustle and a commotion, and lo! three culprits on their knees to him. With that instinctive sagacity which was his one real gift—so he underrated it—he said, with a twinkling eye—

"Och, thin you've come to make a clane brist of it, the three Chrischin vartues and haythen graces that ye are. Ye may save yourselves the throuble. Sure I know all about it."

"We see you do. Y'are wiser than Solomon," said the housekeeper. "But sure ye wouldn't abuse your wisdom to ruin three poor bodies like us?"

"Poor!" cried Patrick. "Is it poor ye call yourselves? Ye ate and drink like fighting cocks; y'are clothed in silk and plush and broadcloth, and your wages is all pocket-money and pin-money. Yet ye must rob the man that feeds and clothes ye."

"It is true! it is true!" cried the butler.



"He spakes like a priest," said the woman. "Oh, alanna! don't be hard on us; it is all the devil's doings; he timplted us. Oh! oh! oh!"

"Whisht, now, and spake sinse," said Patrick, roughly. "Is it melted?"

"It is not."

"Can you lay your hands on it?"

"We can, every stiver of it. We intended to put it back."

"*That's* a lie," said Patrick firmly, but not in the least reproachfully. "Now look at me, the whole clan of ye, male and fay-male. Which would you rather do—help me find the gimcracks, every article of 'em, or be lagged and scragged and stretched on a gibbet and such like illigant divarsions?"

They snatched eagerly at the plank of safety held out to them, and from that minute acted under Mr. O'Rafferty's orders.

"Fetch me another pint," was his first behest.

"Ay, a dozen, if ye'll do us the honor to drink it."

"To the divil wid your blarney! Now tell the master I'm at his sarvice."

"Oh, murder! what will become of us? Would you tell him after all?"

"Ye omadhanns, can't ye listen at the dure and hear what I tell him?"

With this understanding Squire Ormsby was ushered in, all expectation.

"Yer honor," said Patrick, "I think the power is laving me. I am only able to see the half of it. Now, if you plaze, would you like to catch the thieves and lose the silver, or to find the silver and not find the thieves?"

"Why, the silver, to be sure."

"Then you and my lady must go to mass to-morrow morning, and when you come back we will look for the silver, and maybe, if we find it, your honor will give me that little bit of a lease."

"One thing at a time, Pat; you haven't found the silver yet."

At nine o'clock next morning Mr. and Mrs. Ormsby returned from mass and found O'Rafferty waiting for them at their door. He had a long walking-stick

with a shining knob, and informed them, very solemnly, that the priest had sprinkled it for him with holy water.

Thus armed, he commenced the search. He penetrated into outhouses, and applied his stick to chimneys and fagots and cold ovens, and all possible places. No luck.

Then he proceeded to the stableyard, and searched every corner; then into the shrubbery; then into the tool-house. No luck. Then on to the lawn. By this time there were about thirty at his heels.

Disgusted at this fruitless search, Patrick apostrophized his stick: "Bad cess to you, y'are only good to burn. Ye kape turning away from every place; but ye don't turn to anything whatever. Stop a bit! Oh, holy Moses! what is this?"

As he spoke, the stick seemed to rise and point like a gun. Patrick marched in the direction indicated, and after a while seemed to be forced by the stick into a run. He began to shout excitedly, and they all ran after him. He ran full tilt against a dismounted water-barrel, and the end of the stick struck it with such impetus that it knocked the barrel over, then flew out of Patrick's hand to the right, who himself made a spring the other way, and stood glaring with all the rest at the glittering objects that strewed the lawn, neither more nor less than the missing plate.

Shouts and screams of delight. Everybody shaking hands with Patrick, who, being a consummate actor, seemed dazzled and mystified, as one who had succeeded far beyond his expectations.

To make a long story short, they all settled it in their minds that the thieves had been alarmed, and hidden the plate for a time, intending to return and fetch it away.

Mr. Ormsby took the seer into his study, and gave him a piece of paper stating that for a great service rendered to him by Patrick O'Rafferty he had, in the name of him and his, promised him undisturbed possession of the farm so long as he or his should farm it themselves, and pay the present rent.

Pat's modesty vanished at the squire's

gate; he bragged up and down the village, and henceforth nobody disputed his seership in those parts.

But one day the Sassenach came down with his cold incredulity.

A neighbor's estate, mortgaged up to the eyes, was sold under the hammer, and Sir Henry Steele bought it, and laid some of it down in grass. He was a breeder of stock. He marked out a park wall, and did not include a certain little orchard and a triangular plot. The seer observed, and applied for them. Sir Henry, who did his own business, received the application, noted it down, and asked him for a reference. He gave Squire Ormsby.

"I will make inquiries," said Sir Henry. "Good-morning."

He knew Ormsby in London, and when he became his neighbor the Irish gentleman was all hospitality. One day Sir Henry told him of O'Rafferty's application, and asked about him.

"Oh," said Ormsby, "that is our seer."

"Your what?"

"Our wise man, our diviner of secrets; and some wonderful things he has done."

He then related the loss of his plate and its supernatural recovery.

The Sassenach listened with a cold, incredulous eye and a sardonic grin.

Then the Irishman got hot and accumulated examples.

Then the Sassenach, with the obstinacy of his race, said he would put these pretensions to the test. He had picked out of the various narratives that this seer was very fond of a good dinner, and pretended it tended to enlighten his mind; so he laid his trap accordingly.

At his request Patrick was informed that next Tuesday, at one o'clock, if he chose to submit to a fair test of his divining powers, the parcel of land he had asked for should be let him on easy terms.

Patrick assented jauntily. But in his secret soul he felt uneasy at having to encounter this Sassenach gentleman. Sir Henry was the fortunate possessor of what Pat was pleased to call "a nasty glittering eye," and over that eye Pat doubted his

ability to draw the wool as he had done over Celtic orbs.

However, he came up to the scratch like a man. After all, he had nothing to lose this time, and he vowed to submit to no test that was not preceded by a good dinner. He was ushered into Sir Henry Steele's study, and there he found that gentleman and Mr. Ormsby. One comfort, there was a cloth laid, and certain silver dishes on the hobs and in the fender.

"Well, Mr. O'Rafferty," said his host, "I believe you like a good dinner?"

"Thru for you, sorr," said Pat.

"Well, then, we can combine business with pleasure; you shall have a good dinner."

"Long life to your honor!"

"I cooked it for you myself."

"God bless your honor for your condescension."

"You are to eat the dinner first, and then just tell me what the meat is, and the parcel of land is yours on easy terms."

Patrick's confidence rose. "Sure, thin, it is a fair bargain," said he.

The dishes were uncovered. There were vegetables cooked most deliciously; the meat was a chef-d'œuvre; a sort of rich ragout done to a turn, and so fragrant that the very odor made the mouth water.

Patrick seated himself, helped himself and took a mouthful: that mouthful had a double effect. He realized in one and the same moment that this was a more heavenly compound than he had ever expected to taste upon earth, and that he could not and never should divine what bird or beast he was eating. He looked for the bones; there were none. He yielded himself to desperate enjoyment. When he had nearly cleaned the plate he said that even the best cooked meat was none the worse for a quart of good ale to wash it down.

Sir Henry Steele rang a bell and ordered a quart of ale.

Patrick enjoyed this too, and did not hurry; he felt it was his last dinner in that house, as well as his first.

The gentlemen watched him and gave

him time. But at last Ormsby said, "Well, Patrick—"

Now Patrick, while he sipped, had been asking himself what line he had better take; and he had come to a conclusion creditable to that sagacity and knowledge of human nature he really possessed, and underrated accordingly. He would compliment the gentlemen on their superior wisdom, and own he could not throw dust in such eyes as theirs; then he would beg them not to make his humble neighbors as wise as they were, but let him still pass for a wise man in the parish, while *they* laughed in their superior sleeves. To carry out this he impregnated his brazen features with a world of comic humility.

"And," said he, in cajoling accents, "ah, your honors, the old fox made many a turn, but the dogs were too many for him at last."

What more of self-depreciation and cajolery he would have added is not known, for Sir Henry Steele broke in loudly, "Good Heavens! Well, he *is* an extraordinary man. It *was* an old dog-fox I cooked for him."

"Didn't I tell you?" cried Ormsby, delighted at the success of his countryman.

"Well, sir," said Sir Henry, whose emotions seldom lasted long, "a bargain's a

bargain. I let you the orchard and field for—let me see—you must bring me a stoat, a weasel, and a pole-cat every year. I mean to get up the game."

Mr. O'Rafferty first stared stupidly, then winked cunningly, then blandly absorbed laudation and land; then retired invoking solemn blessings; then, being outside, executed a fandango, and went home on wings. From that hour the village could not hold him. His speech was of accumulating farms at pepper-corn rents, till a slice of the county should be his. To hear him, he could see through a deal board, and luck was his monopoly. He began to be envied, and was on the way to be hated, when, confiding in his star, he married Norah Blake, a beautiful girl, but a most notorious vixen.

Then the unlucky ones forgave him a great deal; for sure wouldn't Norah revenge them? Alas! the traitress fell in love with her husband after marriage and let him mold her into a sort of angelic duck.

This was the climax. So Paddy Luck is now numbered among the lasting institutions of ould Ireland (if any).

May he live till the skirts of his coat knock his brains out, and him dancing an Irish fling to "the wind that shakes the barley!"

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## "THERE'S MANY A SLIP 'TWINX THE CUP AND THE LIP."

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### CHAPTER I.

MR. SAMUEL SUTTON, wool-stapler, had a large business in Frome, inherited from his father, and enlarged by himself; also a nest-egg of £150,000 invested at four per cent in solid securities. He lived clear out of the town in a large house built by himself, and called "Merino Lodge," with

lawn, gardens, conservatories, stables, all of them models. He loved business, and spent his day in the office; he loved his wife, and enjoyed his evenings at home.

But this life of calm content was broken up in one month: his wife sickened and died, leaving him utterly desolate and wretched. No child to reflect her beloved features, and no live thing to cherish but

her favorite dog, an orphan girl she had taken into the house eight years before, and the immortal memory of a watchful and unselfish affection.

Under this stunning blow messages of consolation poured in upon him, many of them delicately and admirably worded, all written with a certain sympathy, but with dry eyes. His very servants spoke with bated breath and sorrowful looks before him, but he heard the squawks of the women and the guffaws of the men out in the yard. Only one creature beside himself suffered. It was his wife's *protégée*, Rebecca Barnes. For many a day this girl, like himself, never smiled, and often burst into tears all in a moment over her work. This was not lost on the mourner; hitherto he had hardly noticed this humble figure; but now he looked at her with interest, and told her, once for all, he would be a friend to her, as his beloved wife had been.

The young woman thus distinguished was attractive; she was tall and straight, but not bony, nor nipped in at the waist. She had the face of an English rural beauty, light brown hair, a very white skin, dark gray eyes, and a complexion not divided into red and white, but with a light brick-dusty color, very sweet and healthy, diffused all over two oval cheeks; a large but shapely mouth and beautiful teeth made her winning; a little cocked-up nose spoiled her for a beauty: and she might be summed up as comeliness in person.

Educated by a lady with great good sense, she could read aloud fluently and with propriety. could write like a clerk, cook well, make pickles and preserves, sweep, dust, cut and sew dresses, iron and get up lace and linen; but could not play the piano nor dance a polka.

Mrs. Sutton always intended her to be housekeeper; and the widower now told her to try and qualify herself in time; she was too young at present.

Months rolled on, but Samuel Sutton's loneliness did not abate. He had only one relation who interested him, Joe Newton, son of a deceased sister, a bold Eton boy he had often tipped. Joe was

now at Oxford, and Mr. Sutton invited him for the long vacation, and prepared to like him.

While he is on the road let us attempt his character—at that period: a goodish scholar, excellent athlete; rowed six in the college boat, and was promised a place in the University Eleven for fair defense, hard hitting, and exceptional throwing.

He used to back himself against both the universities to fling the hammer and construe Demosthenes; the college tutor heard, and remonstrated. "It was not the thing at Oxford to brag; why, Stilwell made a hundred and fifteen against Surry the other day, but he only said he had been very *lucky*. That is the form at present," said the excellent tutor, stroke of the university boat in his day. Joe explained largely. Of course he knew there were two men who could beat him at throwing the hammer, one Oxford, one Cambridge, and a lot who could eclipse him at construing Greek orators. "But you see, sir," said he, slyly, "the fellows that can construe Demosthenes can't fling the hammer; and the happy pair that can take the shine out of me at the hammer can't construe Demosthenes. I can do both after a fashion."

"Oh," said the tutor, "that alters the case. So it was only an enigma; sounded like a brag."

Add to the virtues indicated above, pugilism, wrestling, good spirits, six feet, broad shoulders, abundance of physical and a want of moral courage, and behold Joe Newton, aged twenty-one.

He came to "Merino Lodge," and filled the place with sudden vitality. He rowed everybody on the lake; armed both sexes with fishing rods; mowed and rolled a paddock into a cricket-ground; organized matches between county clubs; drew on his uncle for copious luncheons; chaffed, talked, and enlivened all the family and neighborhood, and gazed at Rebecca Barnes till he troubled her peace, and set her heart in a flutter.

One fine summer evening there was a harvest-home supper, and the rustics drank

the farmer's cider without stint. Returning from this banquet a colossal carter met Rebecca Barnes and proceeded to some very rough courtship. She gave him the slip, and ran and screamed a little. It was near the cricket-ground that Joe was rolling for a match to come off. He heard the signals of distress, and vaulted over the gate in front of Rebecca, just as the carter caught her, and she screamed violently.

"Come, drop that, my man," said Joe, good-humoredly enough.

"Who be you?" inquired the rustic, disdainfully, and challenged him to fight.

"No, don't, sir; pray don't," cried Rebecca. "He is bigger than you, and he thrashes them all."

Joseph hesitated out of good nature. The bully called him a coward, and took off his coat. Joseph said, apologetically—

"He wants a lesson. I won't detain you a minute. Now, then, sir, let us get it over;" and without taking off his coat, put himself in his favorite attitude. The carter made a rush, got it right and left as if from Heaven, and stood staring with two black eyes; came on again more cautiously, but while endeavoring a tremendous rounder that would probably have finished the business his way, received a dazzler with the left followed by a heavy right-hander on the throat that felled him like a tree.

Joe then gave his arm to Rebecca, who was trembling all over. She took it with both hands, and an inclination to droop her head on his shoulder, which made the walk home slow, amusing, and delightful to Joe.

After that evening Rebecca, who was already on the verge of danger, began to be divinely happy and unreasonably depressed by turns. She was always peeping at Joe, and coming near him, and avoiding him; and then he took to spooning upon her, and she was coy, but fluttered with wild hopes, and thrilled with innocent joys.

At last energetic Joe spooned on her so openly that Mr. Sutton observed.

He made short work with both culprits. "Rebecca," said he, "be good enough to

keep that young fool at a distance. Joe, let that girl alone. She is only a servant, after all, and I will not have her head turned."

Rebecca blushed, and cried, and tried to obey.

Joe affected compliance, got impatient, and one day watched for Rebecca, caught her away from home, declared his love for her, and urged her to run away with him.

The instinct of virtue supplied the place of experience, and she rejected him with indignation, and after that kept out of his way in earnest.

However, before he left he owned his fault, begged her pardon, and asked her to wait for him till he got his family living, and was independent of everybody.

This was another matter, and female love soon forgives male audacity. Reckless Joe overcame her reasonable misgivings, and fed her passion by letters for three whole years, and she refused young Farmer Mortlock, an excellent match in every way.

By and by Joe's letters cooled, and became rare. He even declined his uncle's invitations on pretense of reading with a tutor in Wales.

Then Rebecca paled and pined, and divined that she was abandoned. Soon cruel suspense gave way to certainty. Joe was ordained priest, took the family living, and married Melusina Florence Tiverton, a young lady of fashion, high connections, and eight thousand pounds, which before the marriage was settled on her and her children.

Mr. Sutton announced this to his friends with satisfaction, and he even told it to Rebecca Barnes, whom he happened to find at a passage window sewing buttons on his shirts. He was fond of Joe, and thought his good marriage ought to please everybody, and so he was in a good humor, and told Rebecca all about it, and that he had promised the happy pair a thousand pounds to start with.

Rebecca turned cold as a stone, and kept on sewing, but slower and slower every stitch.

"Well, you might wish them joy," said Mr. Sutton.

"I wish — them — every — happiness," said Rebecca, slowly and faintly, and went on sewing mechanically.

Mr. Sutton looked at her inquiringly, but had already said more to her than was his custom at that period of her service; so he went about his business.

She sewed on still, feeling very cold, and soon the patient tears began to trickle, and then she put her work aside, and laid her brow against the corner of the shutter, that the tears might run their course without spoiling her master's collars and cuffs.

Not long after this the housekeeper left and Mr. Sutton sent for Rebecca. "You are young," he said, half hesitating, "but you are steady and faithful." Then he turned his back on her and looked at his wife's portrait. "Yes, Jane," said he, "we can but try her." Then, without turning from the picture, "Rebecca, take the housekeeper's keys and let us see how you can govern my house."

"I will try, sir," said she; then courtesied and left the room with the tear in her eye at him consulting the picture of her they both loved.

Rebecca Barnes had made many observations upon servants and their ways, and entered on office with some fixed ideas of economy and management.

She did not hurry matters, but by degrees waste was quietly put down, the servants were compelled, contrary to their nature, to return everything to its place; the weekly bills decreased, and yet the donations to worthy people increased.

She had held the keys, and nearly doubled their number, about eight months, when Mr. Sutton gave her an order. "Barnes," said he, "Joe and his wife are coming to see me next Wednesday at five o'clock. Get everything ready for them at once—give them the best bedroom—and make them comfortable."

"Yes, sir," said she, and went about it directly.

She summoned maids, saw fires lit, beds and blankets put down to them, not sheets only, took linen out of her lavender cupboard, ordered flowers, and secured the

comfort of the visitors, though heats and chills pervaded her own body by turns at the thought of receiving Joe Newton and the woman he had preferred to herself.

"She is beautiful, no doubt," thought Rebecca. "I wonder whether she knows? Oh, no, surely he would never tell her. He would be ashamed." The mere doubt, though, made her red and then pale.

The pair arrived with their own maid; a house-maid under orders showed them to their rooms; Rebecca Barnes kept out of their way at first, and steeled herself by degrees to the inevitable encounter.

She took her opportunity next day, and approached Mrs. Newton first with a civil inquiry if she could do anything for her.

"You are the—the—" drawled the lady.

"The housekeeper, madam."

"The housekeeper? You are very young for that."

"Not so young as I look, perhaps; and I have been sixteen years in the house." She then renewed her question.

"Not at present," was the reply. "I will send for you if I require anything."

The words were colorless in themselves, but there was a hard, unfriendly, and superior tone in them rather out of place in a house where she was a guest, and a new one, and kindly civility just being shown her.

Downstairs the lady did not charm. She desired to please, but had not the tact. Her voice was high-pitched, and she could not listen. Her husband, however, was in ecstacy over her, and rather wearied his uncle with descanting on her perfections.

Things went on well enough until she got a little more familiar with Uncle Samuel; and then, looking on him as virtually a bachelor, she must needs advise him from the heights of her matronly experience. She told him his housekeeper was too young for the place.

"She *is* young," said he, "but she has experience, and my dear wife taught her."

Instead of listening to that, and saying, "Ah, that alters the case," as most men or women would, this tactless young lady went on to say that she was too young and good-looking to be about a widower. It would

set people talking, and so she strongly advised him to change her for some staid, respectable person.

"Mind your own business, my dear," replied the wool-stapler, with such contemptuous resolution that she held her tongue directly, and contented herself just then with hating Rebecca Barnes for this repulse. But when she got hold of Joe, she scolded him well for the affront; she never saw she had drawn it on herself. It was not in her nature to see a fault in herself under any circumstances whatever.

Joe, physical hero, moral coward, dared not say a word, but took his unjust punishment meekly.

However, after dinner, owing to himself that this infallible creature had made a blunder, he set himself to remove any ill impression. He descanted on her virtues; above all, her generosity and her zeal for her friend's interests, etc.

Uncle Sutton got sick of his marital mendacity, and said, "Now, Joe, don't you be an uxorious ass. She is your wife, and she is well enough; but she is no paragon." And so he shut *him* up.

They stayed a fortnight and then went home. As Melusina had intruded her opinion on Rebecca, Mr. Sutton, who came more into contact with the latter now she was housekeeper, had the sly curiosity to ask her, in a half careless way, what she thought of Joe's wife.

"Well, sir," said Rebecca, wiser and more on her guard than Melusina, "he might have done better, I think, and he might have done worse."

"Voice too shrill for me," said the master. "But I suppose he took her for her good looks."

"Good looks, sir? What, with a beak for a nose, and a slit for a mouth?"

Mr. Sutton laughed. "How you women do admire one another. Stop; now I think of it, this is ungrateful of you, for she told me you were too good-looking."

"Too good-looking!" said Rebecca. "What did she mean by that? Ah! she wanted you to part with me."

"Stuff and nonsense," said he; but he colored a little at the abominable shrewd-

ness of females in reading one another at half a word.

Rebecca was too discreet to press the matter; she pretended to accept the disavowal, but she did not. Joe's wife to come into the house on her first visit, and instantly endeavor to turn out the poor girl that had been there from a child!

"And he could look on and let her," said she; "he that thought it little to defend me against that giant. Men are so strange, and hard to understand."

Next year Joe came by himself, and charmed everybody. Rebecca at last kept out of his way, for she found the old affection reviving, and was frightened.

Two years more, and the pair came on a visit at one day's notice. But all was ready for them in that well-ordered house.

The motive of this hasty visit soon transpired. They had spent more than double their income since they married, owed two thousand pounds, and had an execution in the house.

Uncle Sutton was displeased. "Debt is dishonest," said he. "We can all cut our coat according to our cloth." But he ended by saying, "Well, make out a list of all the debts. Try if you can tell the truth now, both of you, and put them all down."

By this time Rebecca had become his accountant in private matters, and her fidelity and discretion had gradually earned his confidence. He actually consulted her on the situation, not that she could have influenced him against his own judgment. No man was more thoroughly master than Sam Sutton. But he was a solitary man, and it is hard to be always silent.

"Bad business, Rebecca. Now I wonder what you would do in my place?"

"Do, sir? Why, pay Master Joe's debts directly. You will never miss it. But when I *had* paid them, I'd tell her not to come begging here again with a fortune on her back."

"Come, come," said Sutton, "she is dressed plainer than any lady in Frome. I will say that for her."

"La! sir, where are your eyes? What,

with those furs and that old point lace? Three hundred guineas never bought them. There are no such furs in Frome. I've seen their fellows in London. They are Russian sables, the finest to be had for money. And look at her fingers, crippled with diamonds and rubies. There's four or five hundred more, and that is how Master Joe's money goes. I pity him; he couldn't have done worse if he had married—a servant."

Mr. Sutton looked very grave. However, he sold out and drew the check. But, unfortunately, instead of lecturing the wife, he took the husband to task. He said he was sorry to see Mrs. Joseph so extravagant in dress.

"My dear uncle," replied he, "why, she is anything but that; she is most self-denying. I am the only one to blame, believe me."

"Now, you uxorious humbug," cried Uncle Samuel, "can't you see she has got three hundred guineas on her back in lace and sable furs, and as much more on her fingers? Where are your eyes?"

Joe looked sheepish. "I am no judge of these things, uncle. But I feel sure you are mistaken."

"No, I am not mistaken. Everybody knows the value of sables and diamonds."

Joe retailed this conversation very timidly to his wife, not to make her less extravagant, but more cautious under Uncle Sutton's eye. He took care to draw that distinction for the sake of peace.

His finesse was wasted. "It's the woman," said she, as quick as lightning.

"What woman?"

"The woman Barnes. She has told him—to make mischief."

"No, no! the old fox has got eyes of his own."

"Not for sables. It is the woman."

"Well, dear, I don't think so; but if it is, then I wouldn't give her the chance again."

"Me take off my sables because a woman is envious of them? *What do you think I bought them for?* I'll wear them all the more—ten times more."

"Hush! hush!" implored the weak hus-

band, for the peacock voice, raised in defiance, was audible through doors at a considerable distance.

All this mortified Mrs. Joe's vanity, and that was her stronger passion. She came no more to "Merino Lodge."

But she sent her husband once a year, with orders to bring home some money and get rid of the woman Barnes.

He was to tell Mr. Sutton Barnes was a mercenary woman and kept his wife away. But Joe's subservience relaxed when he got to "Merino Lodge," and his pea-hen could not watch him. He made himself agreeable to everybody.

One fine day he discovered that Rebecca was consulted in matters of domestic account, and that he owed the check he always took home in some degree to her good word as well as to his uncle's affection. Upon that he forgot he was to undermine her, and began to spoon a little on her; but this was received with a sort of shudder that brought him to his senses.

So the years rolled on, confirming the virtues and the faults of all these characters, for nothing stands still.

Joe Newton was forty-one, and looked forty-five; Rebecca Barnes thirty-eight, and looked twenty-five. Mrs. Newton was forty, and looked fifty; and Uncle Sutton, though fifty-seven, looked five-and-forty, thanks to sober living, good humor, and a fine constitution.

Joe's inheritance seemed distant, and he was always in debt, though often relieved.

But who can foretell? The stout wool-stapler was seized with a mysterious malady, frequent sickness, constant depression. He struggled manfully, went to his office ill, came back no better; but at last had to stay at home.

By and by he took to his bed.

Rebecca wrote to Joe Newton. He came and found his uncle eternally sick, and turning yellow.

Joe spoke hopefully, said it was only jaundice, but went away and told a different tale at home.

There he and his wife, demoralized by debt, discussed the approaching death of



a great benefactor in hypocritical terms, through which eager expectation pierced.

"You are sure he has not made a fresh will? That woman has his ear."

"Make your mind easy, dear. He told me all about it himself not six months ago. He leaves us and our children all his money, except £5,000 to Rebecca Barnes."

"Five thousand pounds to a servant!"

"And only £200,000 to us," said Joe, hazarding a little humor.

"Tied up, I'll be bound."

"Well, dear," said Joe, "even if it should be, our children will benefit, and we shall have enough."

"Five thousand pounds to that woman! And not tied up, of course."

Joe could have told her from his uncle's own lips why he was to have a life-interest only in that large fortune. "Your wife is vain, selfish, and extravagant, and you are her slave. She shall not waste my money as she has yours. It is all secured to you and your children."

But Joe preferred peace to admonition, and kept his uncle's treasons to himself.

Mr. Sutton was tenderly nursed night and day by Rebecca Barnes and a young orphan girl she had brought into the house, as she herself had been brought thirty years ago. He was attended by Dr. Stevenson, an old friend.

But neither physic nor nursing could stop the fatal sickness that prostrated the strong man.

At last Dr. Stevenson, and a physician he had summoned from London, told Rebecca to prepare for the worst. He must die of inanition, and that shortly.

Rebecca sent a mounted messenger to Joe: "Come at once, or you will not see him alive."

Joe sent back word he would come by the first train.

But before he went his wife gave him instructions. "Now, mind, if he knows you, and can speak, do nothing. But if he is insensible, you must begin to think of your interests; you are executor; you told me so."

"One of them."

"And the one on the spot. There are quantities of plate and valuables in the house. You must fix seals and ask Barnes for her keys."

"Will not that be premature?"

"No, stupid; it will be just in time."

"Hum! she has been a faithful servant. I am afraid it would wound her feelings."

"The feelings of a menial? Besides, there are two ways of doing these things. Of course you will flatter her, and say you only want to relieve her of responsibility. But mind you secure her keys, or I'll never forgive you."

"Very well," said Joe. "I suppose you are right; *you always are.*"

He reached the Lodge and Rebecca met him with a despairing cry: "Oh, Mr. Joseph!" and led the way to the sick-room.

They found Mr. Sutton yellow, and yet cadaverous, gasping and almost rattling for breath.

"He is dying," said Joe, awestruck. "He will not live an hour."

Presently the patient gasped desperately and tried to raise himself.

"Lift him!" cried Rebecca, and seized a basin, while Joe's strong arm raised him.

Instantly there burst from the patient a copious discharge of black blood, or what looked like it.

Joe turned pale, and cried, "Oh, it is the substance of the liver," and he felt faint at the sight.

Rebecca stood firm. She gave the basin quickly to the girl, and filled Joe a glassful of neat brandy. He tossed it off, and it revived him.

They laid the patient back gently, and Rebecca felt his pulse. It was scarcely perceptible.

"He is going," she said. Then, looking round in despair, she seized a tablespoon, filled it with brandy slightly diluted, and opening his mouth, placed the spoon at the root of the tongue, and so got the contents down his throat.

As he retained it, she repeated the dose three times.

The patient lay motionless, no longer

gasping, but just faintly breathing, as men do before life's little candle flickers out.

They sat down on each side of him in silence. He had been a good friend to both.

By and by Joe's dinner was announced. He asked Rebecca to come down and eat a morsel with him.

Rebecca was hospitable, but could not leave the moribund even for a moment. "No," said she, "I saw *her* die, and I must see *him* die."

Joe assured her he would not die till night, and said he could not eat alone.

Accustomed to oblige, Rebecca consented, though unwillingly. She summoned an elderly woman that was in the house, and bade her watch him with the young girl, and send down to her the moment there was any change.

Then she went reluctantly and sat down opposite Joseph Newton, pale and woe-begone. He had recovered himself, and ate a tolerable dinner. She tried, out of complaisance, but could only get a morsel or two down.

After a hasty meal and two glasses of port, the Rev. Joseph Newton opened his commission. He began as directed. He dilated upon her long and faithful service, and then told her he knew she was not forgotten, or he would have felt bound to take care of her.

While he delivered these sugar-plums he did not look her in the face, and so he did not observe that her eye was fixed on him and never moved.

Having thus prepared the way, he proceeded in a briefer style to say that he was his uncle's executor, and a great responsibility was now about to fall on him; unfortunately he could not stay here all night to discharge those sad duties, so perhaps it would be as well to intrust him with her keys before he left.

Then Rebecca, who had hitherto been keenly observant and silent, said, very quietly, "Give you my keys, sir? What! do you mistrust me?"

"Of course not; my only object is to relieve you of so great a responsibility,

where there are so many servants, and so many valuables about."

"Valuables about? That is not my way, sir. There is nothing loose in this house more than I can keep my eye on."

"An excellent system," said Joe warmly. "I promise to follow it. But, to do so, I must have an executor's power. Come, Rebecca, I must return by the five o'clock train; please oblige me with your keys; the places that have none you and I will seal up together."

Rebecca Barnes rose from the table so straight she seemed six feet high, and the eyes that had watched him like a cat from the first syllable he had uttered flashed lightning at him.

"You have spoken a woman's mind; take a woman's answer. What! you couldn't wait till the breath was out of that poor, dear body before you must lay your greedy hands upon his goods!"

Joe rose in his turn. "Rebecca, you forget yourself."

"No, I remember too well. Twenty years ago you did your best to ruin me; and when you couldn't, you trifled with my affections, held me in hand for years, and flung me away without one grain of pity—you broke my heart and made me a servant for life. Now you insult the faithful servant, you that were false to the faithful lover. Trust you with my keys, you false-hearted— No, sir." And she folded her arms superbly. "Go back to your wife, and tell her if she wants to *rob* him she must *kill* him first, and me too; for while he lives I am mistress of this house, and she and you are—NOBODY."

Then she turned her back on him as only a tall, disdainful woman can, and flew wildly upstairs to her dying master.

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## CHAPTER II.

AFTER all, once in twenty years is not often to vent one's outraged feelings, and

those who smother their fiery wrongs too long owe nature an explosion.

But Rebecca Barnes, though wild with passion, was by nature anything but a virago. So, even as she flew up the stairs, the rain followed the thunder, and it was in a wild distress, not fury, she darted into her master's room, hurried the other women out of it, and flung herself on her knees by his side. "Oh, master! master!" she cried, "is it come to this? They wish you dead. They want your plate, they want your china, they want your money; they don't want you. For all the good you have done, only one poor woman will shed a tear for you." Then she began to mumble his hand and wet it with her honest tears.

"Now I understand my dream," said a calm, faint voice that seemed to come from the other world.

Rebecca sprang to her feet with a scream and eyed him keenly.

"You are better?"

"I am. There was something growing inside me. I always said so. It has broken; I feel lighter now."

Rebecca flung herself on her knees again. "Oh, master! then don't give in. Try, try, try, and you'll get well. If you won't get well to please poor me, do pray get well to spite those heartless creatures. They couldn't wait. They demanded my keys, they were so hot to take possession."

"Joe and his wife?"

"Put her first; he is her slave. He has no heart or conscience when she gives the order. But let's you and I baffle them. Let us get well."

"I mean to," said he slowly, "so where's the sense of your sobbing and crying like that?"

"Dear heart, what can I do? The fear of losing you—the affront—my anger—my hope—my joy—of course I must cry. Oh! oh! oh! La! how you smell of brandy!"

"Ay, brandy has been my best friend. I drank about a pint while you were downstairs."

"Oh, goodness gracious me! a pint of brandy!"

"Tell ye it saved me. I'm sleepy."

He went off to sleep. Rebecca covered him up warm and fanned him gently. He slept some hours, and on awaking asked for brandy and yelk of egg. He took this at intervals.

Dr. Stevenson came, examined and felt him all over, and found him full of vital warmth, looked at what had come from him, and said, "Better an empty house than a bad tenant." In a word, pronounced him out of danger.

During his convalescence Mr. Sutton talked more to Rebecca than he had ever done, and told her that at one time he never expected to live, "for," said he, solemnly, "I was as near my dear wife as I am to you. I could not see her, unfortunately, but she spoke to me."

"Oh, sir, tell me; you'll tell *me*. I loved her; I had reason."

"Yes, I will tell *you*," said he. "She said, 'Not now, Samuel. There was only one woman shed a tear for me, and only one will shed a tear for you.' He reflected a little. "Now I think of it, that was bidding me to live this time. Yes, Jenny, my love, I'll live and teach some folk a lesson—they have taught *me* one."

He ordered Rebecca to write and ask his lawyer to come to him at once with two witnesses.

Rebecca had cooled by this time, and began to be a little alarmed at the turn things were taking; so she said she had been a good deal put out about the keys, and he must not take to heart every word an angry woman said.

"Mind your own business," was his reply. "Write as I bade you."

The lawyer came with his witnesses. Rebecca retired.

When she re-appeared she seemed so uneasy that he said to her: "You needn't look as if you had robbed a church. I have not disinherited Joe."

"I am right down glad of that."

"But I have cut him down a bit, and I've changed my executor. Now please remember—the next time I die—you are my sole executor; and your keys never leave you."

She cast a beaming look of affection and gratitude on him. He had applied the right salve to her wound. She belonged to a sex that does not always weigh things in our balances. She was not very greedy of money, but to take her keys from her was to dishonor her in her office.

It was soon public that Mr. Sutton had made a new will—contents unknown. Lawyers do not reveal such secrets spontaneously.

"We are disinherited," cried Joe's wife, "and by that woman Barnes. I always warned you how it would end. But you never would get rid of her. We have you to thank for it, the children and I."

Joe resisted for once. "No," said he, "it is all your doing. She would have let you alone if you had let her alone. But you were in such a hurry to insult her you could not wait till it was safe."

What, ho! Mutiny! Rebellion! And by the head of the house, paragon of submission hitherto. Mrs. Joe went into a fury, and threatened to leave him and take the children—a menace I should have welcomed with rapture; but it ended in his apologizing for his gleam of reason.

When Mr. Sutton had kept them on tenter-hooks for a month and more, and was in better health than ever he had been, he instructed his lawyers to answer the questions of coarse or interested curiosity, and it soon became public that he had made an equal division, half to his nephew's family, with life-interest to Joseph himself, and half to Rebecca Barnes and her heirs forever, the said Rebecca being his wife's *protégée*, and his faithful housekeeper and nurse.

Joe liked this much better than being disinherited. "Come, Melly," said he, "blood is thicker than water." I am content. A hundred thousand pounds is not starvation."

Mrs. Joe, however, did not seem to think so, at least she complained rather louder than before. "To share our inheritance with a menial," said she, and repeated this in more places than one. She even inocu-

lated Dr. Stevenson with this gentle phrase, and prevailed on him to offer friendly advice to his late patient, and gave him hints what to say. Mrs. Joe was his best client, being full of imaginary disorders, so he adopted her course; called on Mr. Sutton, was heartily welcomed, promised him thirty years more, and then took the liberty of an old friend to advise him. Joe had a young family. The division was not equal, and would it not be a pity to leave disproportionate wealth to a menial?

"A menial?" inquired Sutton, affecting innocent ignorance of his meaning.

"Well, it is a harsh term, but it is what people are saying just now, and would say louder over your tombstone: and, after all, whoever you pay wages to is a menial, and if large fortunes are left to them, especially females, why somehow it always makes scandal, and throws discredit on an honored name. I hope you will not be angry with me for speaking freely—we are old friends."

Mr. Sutton seemed to ponder. "I am afraid you are right. It is too much money to leave to a *menial*." Then, suddenly, "Seen Joe and his wife lately?"

"I saw them only yesterday," said the doctor, off his guard. "May I venture to tell them you will reconsider the matter?"

"Not from me. But you can tell who you like that, on second thoughts, I ought not to make a *menial* my executor."

"You are right. And I suppose you will not leave such a very large fortune—"

"To a *menial*? No."

The doctor went away pleased at his influence. Mr. Sutton rang the bell and bade a servant send Rebecca to him.

When she came he handed her a draft for £100, and told her she must get a wedding-dress ready-made, and waste no time, for she was to be married right off by special license.

"Me!" said she, staring, and then blushing. "Never."

"Next Monday, at 10:30," said he, calmly.

"No, sir," said she, resolutely. "I'll never leave my master. I always respected you, and now—I have nursed you. I— Don't ask me to leave you—"

for I won't. Forgive me. I cannot. How could I? The idea!"

"Who asks you, goose? It is me you have got to marry."

"You, sir?" She blushed like a girl, she laughed, she looked at him to see if he was in earnest; then she said, "Well, I never!"

"Come, Becky," said he, "you are a woman now; don't waste time like a girl."

"I *am* a woman," said she, "and too much your friend to do this foolishness. Where's the use? I shall never leave you, whether or no. And finely the folk would talk if you were to marry your servant. See how they always do on such occasion. No, sir, if you will be ruled by me for *once* (she had been guiding him for years) you will let well alone. As a servant you have got a very good bargain in Becky Barnes. But I should be a bad bargain as a wife."

"Don't you—teach me—my business—Becky Barnes," said the master, severely. "I have been making bargains all my life, and never a bad one. 'Try 'em before you buy 'em' is a safe rule, and terribly neglected in marriages. I have had you under my eye twenty years in health and sickness. You are a good housekeeper, a tender nurse, a faithful friend, and you are going to be a good wife. Come, you'll have to obey me at last, so don't waste words, and don't waste time."

By this time Rebecca's face was red and her eye moist at such unwonted praise from a man who never exaggerated or flattered.

She looked at him softly, and said, with a pretty air of mock defiance,

"I'll tell everybody you *made* me."

"Say what you like, my dear, and do what I bid you." So then he drew her to him and kissed her; put the draft into her hand, and dispatched her to make her purchases.

Her pride was gratified. The nursing had brought their hearts nearer to each other, and she said to herself,

"After all, what does it matter to *me*? And if *he* is unhappy, why, it will be my fault. He shall not be unhappy."

She made her own wedding-dress for fear of unpunctual milliners.

Sunday night she had one cry over the illusions of her youth. It was but a short one. She asked herself, if those two men stood before her now which she should take.

"Why, the man, and not the cur."

They were married privately, on Monday, at 10:30.

At 11 came by appointment the lawyer and two witnesses. Mrs. Samuel Sutton was sent upstairs to put on her traveling dress. Meantime Mr. Sutton and the lawyer did business.

"Mr. Dawson, my second will was open to objection. I left too much to a menial."

"Well, sir," said the lawyer, "it was not for me to advise."

"But you agree with me."

"Perfectly."

"Well, then, cancel will No. 2."

"Both wills are canceled by your marriage, sir."

"Ah! I forgot. Well, draw me a will on the lines of my first. Only no rigma-rolé this time. I'm in a hurry. You can charge me for a volume, but put it all in the ace of spades, that's a good soul."

The lawyer consented, and handed Mr. Sutton testament No. 1 to peruse, and reminded him that in that testament the whole property was left to the Reverend Joseph Newton and his children—all but £5,000 to Rebecca Barnes.

"My menial?"

"Yes. But £5,000 was not excessive."

"Not at all, if you knew the two parties. Well, sir, I don't think we can improve on the *form* of that will. Just reverse the provisions, that is all."

The lawyer stared.

"Leave the £5,000 to my nephew to play ducks and drakes with, and all my real and personal estate to my wife Rebecca Sutton and her heirs forever."

The lawyer stared, bowed, and set to work. Mr. Sutton left him to prepare for his journey; but in a few minutes came back and hurried him.

"Come, polish that off," said he. "We have only half an hour to get to the station."

"I could engross it and send it up to you for signature," suggested the solicitor.

"What! me go by rail intestate? No, thank you."

The will was drawn and attested, and as he signed it, Sutton said to the lawyer, "You see I have not left my fortune to a menial"—then, bitterly, "nor yet to mercenaries."

The wedded pair dashed up to London. Each looked lovingly at the other on the road, and Sutton said to himself, "I have done this marriage in a vulgar way. She was entitled to more sentiment; and—by Jove—*now I look at her*—she is a duck!"

He was right, every woman likes to be courted; and this one deserved it. Well, he first courted her after marriage instead of before; courted her as if she was a complete novelty; presents, nosegays, attentions of every kind; always by her side, and finding her some pleasure or another; and always good-humored, kind, and courteous in a plain, manly way.

She came back beaming with happiness, and he wore a conquering air that made folks smile.

Sneers flew about at home and abroad, and Mr. Sutton was now and then discomposed.

Rebecca's watchful eye saw it. She never said a word about it, but she ruminated.

One day the study door was ajar, and she heard Mr. Sutton's voice louder than usual. A tradesman was there and had said something blunt; she gathered as much from Mr. Sutton's answer. "Why, here's a to-do because a plain man of business has married his housekeeper that was brought up by his wife, and her father was just what I am, only not so lucky. One would think a duke had gone and married his kitchen wench. Well, yes, I took a peach out of my own garden instead of a prickly pear out of a swell hot-house; and all the better for me, and all the worse for Joe Newton."

Rebecca heard this in passing, turned round and put the tips of the fingers of both hands to her lips and blew the speaker

a kiss through the door with an ardor, an abandon, and a grace that would have adorned a lady of distinction.

Next morning she went to work in her way. "My dear," said she, gayly, "I wonder whether you would give me a treat."

"Well, Becky, I am not found of denying you."

"No, indeed, you overindulge me. But the truth is I have a great desire to see foreign countries, if it is agreeable to you, dear."

"Agreeable to me! Why, I have been going to do it these thirty years."

"Oh, I'm so glad. Then will you arrange a tour for us, a nice long one?"

Mr. Sutton fell into this without seeing all that lay behind. It was a fair specimen of Rebecca's handiwork. By this means the house was shut up, the satirical servants discharged without a wrangle, and his friends and neighbors taugth the value of Samuel Sutton by his absence.

The couple traveled Europe wisely; never bound themselves to leave a place half enjoyed, nor stay in it exhausted. They were eighteen months away, but spent the last six in a lovely villa near the Bois de Bonlogne.

They came home with a thumping boy and a Norman nurse, and both parents looked younger than when they went.

The news spread like wild-fire.

"They bought that child abroad," said Mrs. Joe.

Alas! for that romantic theory, Rebecca nursed him herself and gloated over him, as mothers will, and fourteen months later produced a lovely girl.

The parents were happy in their children and themselves; both found in their own hearts unsuspected treasures of tenderness.

The wool-stapler was dictatorial in his own house; his wife docile whenever he laid down the law; but if he directed she suggested, and he generally went her way; sometimes without knowing it. Under her gentle influence he arranged a large business-like system of personal charity, and this increased so as to find them both occupation, and withdraw him by degrees

from active trade without subjecting him to *ennui*.

He became a sleeping partner in the wool trade and an active partner in a large scheme of education, and judicious loans and relief, much of which emanated by degrees from an enlarged housekeeper feeling her way, and possessed of administrative ability.

When they drove out together they often sat hand in hand, as well as side by side, and one plain friend who saw their ways declared they were a young couple, and he would prove it.

"Ay, prove that, you dog," said Samuel Sutton, laughing.

"Well, I will. 'A man is as old as he feels, and a woman's as old as she looks.'"

The proverb was admitted, and the application thereof.

After a long struggle between poverty and pride the Rev. Joseph Newton wrote to his uncle a piteous tale of his young family—and begged relief.

He received an answer by return of post.

"MY DEAR JOE—This sort of thing is in your aunt's department. You had better write to her."

Then there was fury in the house of Newton. Reproaches—defiance—"Apply to that woman—never!"

A few more months and County Court summonses, and Joe was reproached as a bad father, who could not sacrifice his pride to his children's welfare.

So then Joe sent the hat to his aunt. He got a word of comfort and £100 by return of post. He was melted with gratitude, and said so openly.

Mrs. Joe snubbed him, and said it was a mere drop out of the ocean the woman had robbed them of.

Not a year passed without a contribution of this kind, sometimes unasked, sometimes solicited. Aunt Rebecca drew the checks, Uncle Samuel connived with a shrug; it was money thrown into a bottomless pit, and he knew it.

Only once did Aunt Rebecca send advice

to her dilapidated nephew—"You have enough, if you could but be master in your own house."

Which was wasted most, the advice or the money, is a problem to be solved by him who shall have squared the circle.

Years have rolled on, but they are all alive, these little studies; to call them characters might seem presumptuous.

When last seen Mr. Sutton was eighty, and looked sixty; Joe sixty-two, and looked seventy; Rebecca sixty, and looked forty—thanks to goodness, a nature affectionate, not passionate, and her light brick-dust color; Mrs. Joseph Newton sixty-one, and looked eighty.

"Scornful dogs eat dirty puddings." She still speaks disdainfully of "that woman," and takes that woman's money, and awaits the décease of Uncle Samuel, and he looks the very man to outlive her.

The title of this story is a fine one, and there are many examples of its truth in history besides the above tale, the leading incident of which is true to the letter. That title, though it reads idiomatic, is but a happy translation. The original is Greek, and comes down to us with an example. To the best of my recollection, the ancient legend runs that a Greek philosopher was discoursing to his pupil on the inability of man to foresee the future—ay, even the event of the next minute. The pupil may have perhaps granted the uncertainty of the distant future, but he scouted the notion that men could not make sure of immediate and consecutive events. By way of illustration, he proceeded to fill a goblet.

"I predict," said he, sneeringly, "that, after filling this goblet, the next event will be I shall drink the wine."

Accordingly he filled the goblet. At that moment his servant ran in. "Master! master! a wild boar in our vineyard."

The master caught up his javelin directly, and ran out to find the boar and kill him.

He had the luck to find the boar, and attacked him with such spirit that Sir Boar killed him, and the goblet remained filled.

From that incident arose in Greece the saying,

Πολλα μεταξυ πελει κυλικος και χειλος ακρου.

This has been Englished, thus:

“There’s many a slip  
“Twixt the cup and the lip.”

And to my mind the superiority of the English language is shown here, for an

original writer has always a certain advantage over a translator, yet the English couplet expresses in eleven syllables all that the Greek hexameter says in sixteen; and our couplet, close as it is, can be reduced to eight syllables without weakening or obscuring the sense—

“Many a slip  
“Twixt cup and lip.”

## WHAT HAS BECOME OF LORD CAMELFORD'S BODY?

THIS question comes not from an Old Bailey counsel squeezing a witness; 'tis but a mild inquiry addressed to all the world, because the world contains people who can answer it; but I don't know where to find them.

To trace a gentleman's remains beyond the grave would savor of bad taste and Paul Pry; but I am more reasonable: I only want to trace those remains into a grave, if they have reached one.

Even that may seem impertinent curiosity—to his descendants; but if it is impertinent, it is natural. To permit the world a peep at strange facts, and then drop the curtains all in a moment, is to compel curiosity; and this has been done by Lord Camelford's biographers. To leave his lordship's body for seven or eight years in a dust-hole of St. Anne's Church, packed up—in the largest fish-basket ever seen—for exportation, but not exported, is also to compel curiosity; and this has been done by his lordship's executors.

Now this last eccentric fact has come to me on the best authority, and coupled with the remarkable provisions for his interment made by Camelford himself, has put me into such a state that there is no peace nor happiness for me until I can learn

what has become of Lord Camelford's body—fish-basket and all.

I naturally wish to reduce as many sensible people as I can to my own intellectual standard *in re* Camelford. I plead the fox who, having lost his tail—as I my head—was for decaudating the vulpine species directly.

To this bad end, then, I will relate briefly what is public about Lord Camelford, and next what is known only to me and three or four more outside his own family.

Eccentricity in person, he descended from a gentleman who did, at least, one thing without a known parallel: he was grandson or great-grandson of Governor Pitt.

I beg pardon on my knees, but being very old and infirm and in my dotage, and therefore almost half as garrulous as my juvenile contemporaries, I really must polish off the Governor first. He had a taste for and knowledge of precious stones. An old native used to visit him periodically and tempt him with a diamond of prodigious size. I have read that he used to draw it out of a piece of fusty wool, and dazzle his customer. But the foxy Governor kept cool, and bided his time. It came; the merchant one day was at low-



water and offered it cheaper. Pitt bought it; and this is said to be the only instance of an Anglo-Saxon outwitting a Hindoo in stones. The price is variously printed—man being a very inaccurate animal at present—but it was not more than £28,000. Pitt brought it home, and its fame soon rang round Europe. A customer offered —the Regent of France. Price, £135,000. But France at that time was literally bankrupt. The representative of that great nation could not deal with this English citizen, except by the way of deposit and installment. Accordingly a number of the French crown-jewels were left in Pitt's hands, and four times a year the French agents met him at Calais with an installment, until the stone was cleared and the crown-jewels restored.

Thenceforth the Pitt diamond was called the Regent diamond. It is the second stone in Europe, being inferior to the Orlop, but superior in size to the Koh-i-noor; for it was from the first a trifle larger, and the Koh-i-noor, originally an enormous stone, was fearfully cut down in Hindostan, and of late years terribly reduced in Europe—all the better for the Amsterdam cutters.

Every great old stone has cost many a life in some part of the world or other. But in Europe their vicissitudes are mild. Only the Sancy has done anything melodramatic.\* The Regent has always gone quietly along with France. No Bourbon took it into exile at the first Revolution.

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\* The Sancy, a beautiful pear-shaped diamond of, say, fifty-three carats, was first spoken of in the possession of Philip, Duke of Burgundy. Very likely he imported it, for he dealt habitually with the East for curiosities. It passed, after some generations, to a Portuguese Prince. He wanted to raise money on it, and sent it to Paris, instructing the messenger to swallow it if he found himself in trouble or danger. It did not reach Paris, and this news was sent to Portugal. The French authorities were applied to, and they searched diligently, and found a foreigner had been assassinated, and buried in a French village. They exhumed him, opened him, and found the Sancy in his stomach. The stone was purchased by James the Second, and afterward was in various French hands. I think it has now gravitated to the Rothschilds.

No Republican collared it. Napoleon set it in his sword-hilt, but it found its way back to the royal family who originally purchased it, from them to the Second Emperor, and again to this Republic. I am afraid, if I had been Bony, I should have yielded to *Etymology*, and boned it before I went on my travels. But delicacy prevailed, and it has only run one great risk. In 1848 it lay a week in a ditch of the Champ de Mars, after the sack of the Tuileries, but was given up at last under a happy illusion that it was unsalable. As if it could not have been broken up and the pieces sold for £100,000! The stone itself is worth £800,000, I am told.

From the importer of this diamond descended a Mr. Pitt, who was made a peer in 1784. He had a son, Thomas, born in 1775, to astonish his contemporaries while he lived, and torment one with curiosity seventy years after his death.

Thomas Pitt, Lord Camelford, was a character fit for the pen of Tacitus or Clarendon: a singular compound of virtues and vices, some of which were directly opposed, yet ruled him by turns; so that it was hard to predict what he would do or say on any given occasion; only the chances were it would be something with a strong flavor, good or bad.

In his twenty-nine years, which is only nine years of manhood, he assassinated an unresisting man, and set off to invade a great and warlike nation, single-handed; wrenched off many London door-knockers; beat many constables; fought a mob single-handed, with a bludgeon, and was cudgelled and rolled in the gutter without uttering a howl; mauled a gentleman without provocation, and had £500 to pay; relieved the necessities of many, and administered black eyes to many. He was studious and reckless; scientific and hare-brained; tender-hearted, benevolent, and barbarous; unreasonably vindictive and singularly forgiving. He lived a humorous ruffian, with flashes of virtue, and died a hero, a martyr, and a Christian.

To those who take their ideas of character from fiction alone, such a sketch as

this must seem incredible; for fiction is forced to suppress many of the anomalies that Nature presents. David was even more like David than Camelford varied from Camelford; and the chivalrous Joab, who dashed, with his life in his hand, into the camp of the Philistines to get his parched general and king a cup of water, afterward assassinated a brother soldier in a way so base and dastardly as merited the gibbet, and the lash to boot. Imagine a fellow hanging in chains by the road-side, with the Victoria Cross upon his bosom, both cross and gibbet justly earned! Such a man was, in his day, the son of Zeruah.

Were fiction to present such bold anomalies, they would be dubbed inconsistencies, and Horace would fly out of his grave at our very throats, crying,

Amphora cœpit

Institutū, currente rotā cur urceus exit.

It is all the more proper that the strange characters of history should be impressed on the mind, lest, in our estimate of mankind, men's inconsistencies should be forgotten, and puzzle us beyond measure some fine day when they turn up in real life.

Lord Camelford went to school first at a village of the Canton Berne in Switzerland, and passed for a thoughtful boy; thence to the Charter-house. He took a fancy to the sea, and was indulged in it. At fourteen years old he went out as midshipman in the *Guardian* frigate, bound for Botany Bay with stores. She met with disasters, and her condition was so desperate that the captain (Riou) permitted the ship's company to take to the boats. He himself, however, with a fortitude and a pride British commanders have often shown in the face of death, refused to leave the ship. Then Camelford and ninety more gallant spirits stood by him to share his fate. However they got the wreck—for such she is described—by a miracle to the Cape, and Camelford went home in a packet.

Next year, 1791, he sailed with Vancouver in the *Discovery*. But on this voyage he showed insubordination, and Vancouver was obliged to subject him to

discipline. He got transferred to the *Resistance*, then cruising in the Indian seas, and remained at sea till 1796, when his father died, and he returned home to take his estates and title.

Though years had elapsed, he could not forgive Captain Vancouver, but sent him a challenge. Vancouver was then retired, and in poor health. The old captain appealed to the young man's reason, and urged the necessity of discipline on board a ship-of-war, but offered to submit the case to any flag-officer in the navy, and said that if the referee should decide this to be a question of honor, he would resign his own opinion and go out with Lieutenant Camelford.

Camelford, it is to be feared, thought no sane officer would allow a duel on such grounds; for he did not accept the proposal, but waited his opportunity, and meeting Vancouver in Bond Street, insulted him and tried to strike him. The mortification and humiliation of this outrage preyed upon Vancouver's heart, and shortened the life of a deserving officer and very distinguished navigator.

Little more than a year after this, Camelford took a very different view of discipline, and a more sanguinary one. Yet there was one key to these discordant views—his own egotism.

Peers of the realm rose fast in the king's service at that date, and Camelford, though only a lieutenant, soon got a command; now it so happened that his sloop, the *Favorite*, and a larger vessel, the *Perdrix*, Captain Fahie, were both lying in English Harbor, Antigua, on the 13th January, 1798. But Fahie was away at St. Kitts, and Peterson, first lieutenant, was in charge of the *Perdrix*. Lord Camelford issued an order which Peterson refused to obey, because it affected his vessel, and he represented Fahie, who was Camelford's senior. There were high words, and, no doubt, threats on Camelford's part, for twelve of Peterson's crew came up armed. It is not quite clear whether Peterson sent for them; but he certainly drew them up in line and bared his own cutlass. Camelford immediately drew out his own marines, and ranged

them in a line opposite Peterson's men. He then came up to Peterson with a pistol and said, "Lieutenant Peterson, do you still persist in not obeying my orders?"

"Yes, my lord," said Peterson, "I do persist."

Thereupon Camelford put his pistol to Peterson's very breast and shot him dead on the spot. He fell backward and never spoke nor moved.

Upon this bloody deed the men retired to their respective ships, and Camelford surrendered to Captain Matson, of the *Beaver* sloop, who put him under parole arrest. He lost little by that, for the populace of St. John's wanted to tear him to pieces. A coroner's jury was summoned, and gave a cavalier verdict that Peterson "lost his life in a mutiny," the vagueness of which makes it rather suspicious.

Camelford was then taken in the *Beaver* sloop to Martinique, and a court-martial sat on him, by order of Rear-Admiral Hervey. The court was composed of the five captains upon that station, viz., Cayley, Brown, Ekers, Burney, and Mainwaring, and the judgment was delivered in these terms, after the usual preliminary phrases: "The court are unanimously of opinion that the very extraordinary and manifest disobedience of Lieutenant Peterson to the lawful commands of Lord Camelford, the senior officer at English Harbor, and his arming the ship's company, were acts of mutiny highly injurious to his majesty's service; the court do therefore unanimously adjudge that Lord Camelford be honorably acquitted."

Such was the judgment of sailors sitting in secret tribunal. But I think a judge and a jury sitting under the public eye, and sitting next day in the newspapers, would have decided somewhat differently.

Camelford was the senior officer in the harbor; but Peterson, in what pertained to the *Perdrix*, was Fahie, and Fahie was not only Camelford's senior, but his superior in every way, being a post-captain.

"Lieutenant" is a French word, with a clear meaning, which did not apply to

Camelford, but did to Peterson—*lieutenant* or *locum tenens*; I think, therefore, Peterson had a clear right to resist in all that touched the *Perdrix*, and that Camelford would never have ventured to bring him to a court-martial for mere disobedience of that order. In the court-martial Camelford is called a commander; but that is a term of courtesy, and its use, under the peculiar circumstances, seems to indicate a bias; like the man he slaughtered, he had only a lieutenant's grade.

Much turns, however, on the measure and manner even of a just resistance; and here Peterson was *primâ facie* to blame. But suppose Camelford had threatened violence! The thing looks like an armed defense, not a meditated attack. For the lieutenant in command of the *Favorite* to put a pistol to the breast of the lieutenant in charge of the *Perdrix*, and slaughter him like a dog, when the matter could have been referred on the spot by these two lieutenants to their undoubted superiors, was surely a most rash and bloody deed. In fact, opinion in the navy itself negatived the judgment of the court-martial. So many officers, who respected discipline, looked coldly on this one-sided disciplinarian, Camelford, that he resigned his ship and retired from the service soon after.

#### THE CAPRICCIOÛS OF CAMELFORD.

It was his good pleasure to cut a rusty figure in his majesty's service. He would not wear the epaulets of a commander, but went about in an old lieutenant's coat, the buttons of which, according to one of his biographers, "were as green with verdigris as the ship's bottom." He was a Tartar, but attentive to the comforts of the men, and very humane to the sick. He studied hard in two kinds—mathematical science and theology; the first was to make him a good captain; the second to enable him to puzzle the chaplains, who in that day were not so versed in controversy as the Jesuit fathers.

Returning home, with Peterson's blood on his hands, he seems to have burned to recover his own esteem by some act of

higher courage than shooting a brother officer *à bout portant*; and he certainly hit upon an enterprise that would not have occurred to a coward. He settled to invade France, single-handed, and shoot some of her rulers, *pour encourager les autres*. He went to Dover and hired a boat. He was sly enough to say at first he was bound for Deal: but after a bit, says our adventurer, in tones appropriately light and cheerful, "Well, no, on second thoughts, let us go to Calais; I have got some watches and muslins I can sell there." Going to France in that light and cheerful way was dancing to the gallows; so Adam, skipper of the boat, agreed with him for £10, but went directly to the authorities. They concluded the strange gentleman intended to deliver up the island to France, so they let him get into the boat, and then arrested him. They searched him, and found him armed with a brace of pistols, a dagger, and a letter of introduction in French.

They sent him up to the Privy Council, and France escaped invasion that bout.

At that time, as I have hinted, it was a capital crime to go to France from England; so the gallows yearned for Camelford. But the potent, grave, and reverend seniors of his majesty's Council examined him, and advised the king to pardon him under the royal seal. They pronounced that "his only motive had been to render a service to his country." This was strictly true, and it was unpatriotic to stop him; for whoever fattens the plains of France with a pestilent English citizen, or consigns him to a French dungeon for life, confers a benefit on England, and this benefit Camelford did his best to confer on his island home. It was his obstructors who should have been hanged. His well-meant endeavor reminds one of the convicts' verses, bound for Botany Bay:

"True patriots we, for, be it understood,

We left our country for our country's good."

The nation that had retained him against his will now began to suffer for

its folly, by his habitual breaches of the public peace.

After endless skirmishes with the constables, my lord went into Drury Lane Theater, with others of the same kidney, broke the windows in the boxes, and the chandeliers, and Mr. Humphries's head. Humphries had him before a magistrate. Camelford lied, but was not believed, and then begged the magistrate to ask Mr. Humphries if he would accept an apology: but word-ointment was not the balm for Humphries, who had been twice knocked down the steps into the hall, and got his eye nearly beaten out of his head. He prepared an indictment, but afterward changed his tactics judiciously, and sued the offender for damages. The jury, less pliable than captains in a secret tribunal, gave Humphries a verdict and £500 damages.

After this, Camelford's principal exploits appear to have been fights with the constables, engaged in out of sport, but conducted with great spirit by both parties, and without a grain of ill-will on either side. He invariably rewarded their valor with gold when they succeeded in capturing him. When they had got him prisoner, he would give the constable of the night a handsome bribe to resign his place to him. Thus promoted, he rose to a certain sense of duty, and would admonish the delinquents with great good sense and even eloquence, but spoiled all by discharging them. Such was his night-work. In the daytime he was often surprised into acts of unintentional charity and even of tender-heartedness.

#### HIS NAME A TERROR TO FOPS.

He used to go to a coffee-house in Conduit Street, shabbily dressed, to read the paper. One day a dashing beau came into his box, flung himself down on the opposite seat, and called out, in a most consequential tone, "Waitaa, bring a couple of wax-candles and a pint of Madeira, and put them in the next box." *En attendant* he drew Lord Camelford's candle toward him, and began to read. Camelford lowered at him, but said noth-

ing. The buck's candles and Madeira were brought, and he lounged into his box to enjoy them. Then Camelford mimicked his tone, and cried out, "Waitaa, bring me a pair of snuffaa." He took the snuffers, walked leisurely round into the beau's box, snuffed out both the candles, and retired gravely to his own seat. The buck began to bluster, and demanded his name of the waiter.

"Lord Camelford, sir."

"Lord Camelford! What have I to pay?" He laid down his score and stole away without tasting his Madeira.

#### HIS PLUCK.

When peace was proclaimed this suffering nation rejoiced. Not so our pugnacious peer. He mourned alone—or rather cursed, for he was not one of the sighing sort. London illuminated. Camelford's windows shone dark as pitch. This is a thing the London citizens always bitterly resent. A mob collected, and broke his windows. His first impulse was to come out with a pistol and shoot all he could; but luckily he exchanged the firearm for a formidable bludgeon. With this my lord sallied out, single-handed, and broke several heads in a singularly brief period. But the mob had cudgels too, and belabored him thoroughly, knocked him down, and rolled him so diligently in the kennel, while hammering him, that at the end of the business he was just a case of mud with sore bones.

All this punishment he received without a single howl, and it is believed would have taken his death in the same spirit; so that, allowing for poetic exaggeration, we might almost say of him,

"He took a thousand mortal wounds  
As mute as fox 'midst mangling hounds."

The next night his windows were just as dark; but he had filled his house with "boarders," as he called them, viz., armed sailors; and had the mob attacked him again, there would have been wholesale bloodshed, followed by a less tumultuous, but wholesale, hanging day.

But the mob were content with having thrashed him once, and seem to have

thought he had bought a right to his opinions. At all events they conceded the point, and the resolute devil was allowed to darken his house, and rebuke the weakness of the people in coming to terms with Bony.

#### THE PITCHER GOES ONCE TOO OFTEN TO THE WELL.

Camelford had a male friend, a Mr. Best, and, unfortunately, a female friend, who had once lived with this very Best. This Mrs. Simmons told Camelford that Best had spoken disparagingly of him. Camelford believed her, and took fire. He met Best at a coffee-house and walked up to him and said, in a loud, aggressive way, before several persons, "I find, sir, you have spoken of me in the most unwarrantable terms."

Mr. Best replied, with great moderation, that he was quite unconscious of having deserved such a charge.

"No, sir," says Camelford, "you know very well what you said of me to Mrs. Simmons. You are a scoundrel, a liar, and a ruffian!"

In those days such words as these could only be wiped out with blood, and seconds were at once appointed.

Both gentlemen remained at the coffee-house some time, and during that time Mr. Best made a creditable effort; he sent Lord Camelford a solemn assurance he had been deceived, and said that under those circumstances he would be satisfied if his lordship would withdraw the expressions he had uttered in error. But Camelford absolutely refused, and then Best left the house in considerable agitation, and sent his lordship a note. The people of the house justly suspected this was a challenge, and gave information to the police; but they were dilatory, and took no steps till it was too late.

Next morning early the combatants met at a coffee-house in Oxford Street, and Best made an unusual and, indeed, a touching attempt to compose the difference. "Camelford," he said, "we have been friends, and I know the unsuspecting generosity of your nature. Upon my honor you have been imposed upon by a

strumpet. Do not insist on expressions under which one of us must fall."

Camelford, as it afterward appeared, was by no means unmoved by this appeal. But he answered, doggedly, "Best, this is child's play; the thing must go on." The truth is, Best had the reputation of being a fatal shot, and this steeled Camelford's pride and courage against all overtures.

The duel was in a meadow behind Holland House. The seconds placed the men at thirty paces, and this seems to imply they were disposed to avoid a fatal termination if possible.

Camelford fired first, and missed. Best hesitated, and some think he even then asked Camelford to retract. This, however, is not certain. He fired, and Lord Camelford fell at his full length, like a man who was never to stand again.

They all ran to him; and it is said he gave Best his hand, and said, "Best, I am a dead man. You have killed me; but I freely forgive you."

This may very well be true; for it certainly accords with what he had already placed on paper the day before, and also with words he undoubtedly uttered in the presence of several witnesses soon after.

Mr. Best and his second made off to provide for their safety. One of Lord Holland's gardeners called out to some men to stop them; but the wounded man rebuked him, and said he would not have them stopped: he was the aggressor. He forgave the gentleman who had shot him, and hoped God would forgive him too.

He was carried home, his clothes were cut off him, and the surgeons at once pronounced the wound mortal. The bullet was buried in the body, and the lower limbs quite paralyzed by its action. It was discovered, after his death, imbedded in the spinal marrow, having traversed the lungs. He suffered great agonies that day, but obtained some sleep in the night. He spoke often, and with great contrition, of his past life, and relied on the mercy of his Redeemer.

Before the duel he had done a just and worthy act. He had provided for the safety of Mr. Best by adding to his will

a positive statement that he was the aggressor in every sense: "Should I, therefore, lose my life in a contest of my own seeking, I solemnly forbid any of my friends or relations to proceed against my antagonist." He added that if the law should, nevertheless, be put in force, he hoped this part of his will would be laid before the king.

I have also private information, on which I think I can rely, that, when he found he was to die, he actually wrote to the king with his own hand, entreating him not to let Best be brought into trouble.

And if we consider that, as death draws near, the best of men generally fall into a mere brutish apathy—whatever you may read to the contrary in Tracts—methinks good men and women may well yield a tear to this poor, foolish, sinful, but heroic creature, who, in agonies of pain and the jaws of death, could yet be so earnest in his anxiety that no injustice should be done to the man who had laid him low. This stamps Camelford *a man*. The best woman who ever breathed was hardly capable of it. She would forgive her enemy, but she could not trouble herself and worry herself, and provide, moribunda, against injustice being done to that enemy; *c'était mâle*.

I come now to those particulars which have caused me to revive the memory of Thomas Pitt, Lord Camelford, and I divide them into public and private information.

#### THE PUBLIC INFORMATION.

The day before his death Lord Camelford wrote a codicil to his will which, like his whole character, merits study.

He requested his relations not to wear mourning for him, and he gave particular instructions as to the disposal of his remains in their last resting-place. In this remarkable document he said that most persons are strongly attached to their native place, and would have their remains conveyed home, even from a great distance. "His desire, however, was the reverse. He wished his body to be conveyed to a country far distant, to a spot





THE DEAD MONK CHASES THE LIVING.  
—*The Knight's Secret.*



not near the haunts of men, but where the surrounding scenery might smile upon his remains."

He then went into details. The place was by the lake of St. Pierre, in the Canton Berne, Switzerland. The particular spot had three trees standing on it. He desired the center tree to be taken up and his body deposited in the cavity, and no stone nor monument to mark the place. He gave a reason for the selection, in spite of a standing caution not to give reasons. "At the foot of that tree," said he, "I formerly passed many hours in solitude, contemplating the mutability of human affairs." He left the proprietors of the trees and ground £1,000 by way of compensation.

#### COMMENT ON THE PUBLIC INFORMATION.

Considering his penitent frame of mind, his request to his relations not to go into mourning for him may be assigned to humility, and the sense that he was no great loss to them.

But as to the details of his interment, I feel sure he mistook his own mind, and was, in reality, imitating the very persons he thought he differed from. I read him thus by the light of observation. Here was a man whose life had been a storm. At its close he looked back over the dark waves, and saw the placid waters his youthful bark had floated in before he dashed into the surf. Eccentric in form, it was not eccentric at bottom, this wish to lay his shattered body beneath the tree where he had sat so often an innocent child, little dreaming then that he should ever kill poor Peterson with a pistol, and be killed with a pistol himself in exact retribution. That at eleven years of age he had meditated under that tree on the mutability of human affairs is nonsense. Here is a natural anachronism and confusion of ideas. He was meditating on that subject as he lay a dying; but such were never yet the meditations of a child. The matter is far more simple than all this. He who lay dying by a bloody death remembered the green meadows, the blue lake, the peaceful

hours, the innocent thoughts, and the sweet spot of nature that now seemed to him a temple. His wish to lie in that pure and peaceful home of his childhood was a natural instinct, and a very common one. Critics have all observed it and many a poet sung it, from Virgil to Scott.

*Occidit, et moriens dulces, reminiscitur Argos.*

#### THE PRIVATE INFORMATION.

In the year 1858, I did business with a firm of London solicitors, the senior partner of which had in his youth been in a house that acted for Lord Camelford.

It was this gentleman who told me Camelford really wrote a letter to the king in favor of Best. He told me, further, that preparations were actually made to carry out Camelford's wishes as to the disposal of his remains. He was embalmed and packed up for transportation. But at that very nick of time war was proclaimed again, and the body, which was then deposited, *pro tempore*, in St. Anne's Church, Soho, remained there, awaiting better times.

The war lasted a long while, and, naturally enough, Camelford's body was forgotten.

After Europe was settled, it struck the solicitor, who was my friend's informant, that Camelford had never been shipped for Switzerland. He had the curiosity, to go to St. Anne's Church and inquire. He found the sexton in the church, as it happened, and asked him what had become of Lord Camelford.

"Oh," said the sexton, in a very cavalier way, "here he is;" and showed him a thing which he afterward described to my friend M'Leod as an enormously long fish-basket, fit to pack a shark in.

And this, M'Leod assured me, was seven or eight years after Camelford's death.

Unfortunately, M'Leod could not tell me whether his informant paid a second visit to the church, or what took place between 1815 and 1858.

The deceased peer may be now lying peacefully in that sweet spot he selected and paid for. But I own to some misgivings on that head. In things of routine, delay matters little; indeed, it is a part of the system; but when an out-of-the-way thing is to be done, oh, then delay is dangerous: the zeal cools; the expense and trouble look bigger; the obligation to incur them seems fainter. The inertia of Mediocrity flops like lead into the scale, and turns it. Time is really *edax rerum*, and fruitful in destructive accidents; rectors are apt to be a little lawless; church-wardens deal with dustmen; and dead peers are dust. Even sextons are capable of making away with what nobody seems to value, or it would not lie years forgotten in a corner.

These thoughts prey upon my mind; and as his life and character were very remarkable, and his death very, very

noble, and his instructions explicit, and the duty of performing them sacred, I have taken the best way I know to rouse inquiry, and learn, if possible,

WHAT HAS BECOME OF LORD CAMELFORD'S BODY.

CHARLES READE.

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AUTHORITIES.—*Annual Register*, February 25, 1798; *Times*, January 14 and 17, 1799; *True Briton*, January 17, 19, 1799; "Humphries v. Camelford." *London Chronicle*, *Times*, *True Briton*, *Porcupine*, May 16, 17, 18, 1799; *Porcupine*, October 8 and 12, 1801; *Times*, October 9, 12, 17, 24, 1801; *Morning Post*, March 8, 10, 13, 14, 26, 28, 1804; *Annual Register*, 1804; *Eccentric Mirror*, 1807.

Rev. William Cockburn, "An Authentic Account of Lord Camelford's Death, with an Extract from his Will," etc., 1804. Letter from William Cockburn to Philip Neve, Esq., *Morning Post*, March 26, 1804.

M'Leod, deceased.

END OF "GOOD STORIES."

# GOOD STORIES OF MAN AND OTHER ANIMALS.

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## THE KNIGHT'S SECRET.

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THOMAS ERPINGHAM was knighted by Henry the Fourth for good and valiant service.

This Sir Thomas Erpingham, Knight of the Garter, afterward fought by the side of Henry the Fifth in his French wars, and was made Warden of the Cinque Ports, but retired to Norwich, his native place. He married a beautiful, pious lady, and after a turbulent career and the horrors of war, desired to end his days in charity. Being wealthy, and of one mind, he and Lady Erpingham built a goodly church in the city, and also erected and endowed a religious house for twelve monks and a prior close to the knight's house, and parted only by a high wall.

But though the retired soldier wished to be at peace with all men, two of his friars were of another mind: Friar John and Friar Richard hated each other, and could by no means be reconciled; neither had ever a good word for t'other; and at last Friar John gave Friar Richard a fair excuse for his invectives. Lady Erpingham came ever to matins in the convent, and Friar John would always await her coming, and attend her through the cloister, with ducks and cringes and open adulation; whereat she smiled, being, in

truth, a most innocent lady, affable to all, and slow to think ill of any man.

But Richard denounced John as a licentious monk; and some watched and whispered; others rebuked Richard; for it was against the monastic rule to put an ill construction where the matter might be innocent.

But Richard stood his ground: and, unfortunately, Richard was right. Misunderstanding the lady's courtesy and charity, Brother John thought his fawning advances were encouraged, and this bred in him such impudence that one day he sent her a fulsome love-letter, and had the hardihood to beg for a private interview.

The lady, when she opened this letter, could hardly believe her senses: and at last, as gentlewomen will be both unsuspecting and suspicious in the wrong place, she made up her mind that the poor, good, ridiculous friar could never have been so wicked as to write this; nay, but it was her husband's doing, and a trial of her virtue: he was older than herself, and great love is oft tainted with jealousy.

This brought tears into her eyes, to think she should be doubted: but soon anger dried them, and she took occasion

to put the letter suddenly into Sir Thomas's hand, and fixed her eyes on him so keenly that if there had been a flaw in his conjugal armor, no doubt those eyes had pierced it.

The knight read the letter, and turned black and white with rage: his eyes sparkled with fury, and he looked so fearful that the lady was very sorry she had shown him the letter, and begged him not to take a madman's folly to heart.

"Not take it to heart!" said he. "What! these beggarly shavelings that I have housed and fed, and so lessened my estate and thine—they shall corrupt thee, and rob me of my one earthly treasure! Sit thou down and write."

"Write—Thomas—what?—to whom?"

"Do as I bid thee, dame," said he, sternly, "and no more words."

Those were days when husbands commanded and wives obeyed; so she sat down, trembling, and took the pen.

Then he made her write a letter back to the friar, and say she compassionated his love, and her husband was to ride toward London that night, and her servant, on whom she could depend, should admit him to her by a side door of the house.

Friar John, at the appointed time, took care to be in the town, for he knew the lay brother who kept the gate of the priory would not let him out so late. He came to the side door, and was admitted by a servant of the knight, a reckless old soldier, who cared for neither man nor devil, as the saying is, but only for his master. This man took him into a room and left him, then went for the knight: he was not far off. Now the unlucky monk, being come to the conquest of a beautiful lady, as he vainly thought, had fine linen on, and perfumed like a civet. The knight smelled these perfumes, and rushed in upon him with his man, like dogs upon the odoriferous fox, and, in a fury, without giving him time to call for help or to say one prayer, strangled him, and left him dead.

But Death breeds calm; the knight's rage abated that moment, and he saw

he had done a foul and remorseless deed. He would have given half his estate to bring the offender back to life. Half his estate? His whole estate, ay, and his life, were now gone from him: they were forfeited to the law. So did he pass from rage to remorse, and from remorse to fear. The rough soldier, seeing him so stricken, made light of all, except the danger of discovery. "Come, noble sir," said he, "let us bestir ourselves and take him back to the priory, and there bestow him; so shall we ne'er be known in it."

Thus urged, the knight roused himself, and he and his man brought the body out, and got it as far as the wall that did part the house from the monastery. Here they were puzzled a while, but the man remembered a short ladder in the back yard, that was high enough for this job. So they set the ladder, and, with much ado, got the body up it, and then drew the ladder up and set it again on the other side and so, with infinite trouble, the soldier got him into the priory.

The next thing was to make it appear Friar John had died a natural death. Accordingly, he set him upon a rickety chair he found in the yard, balanced him, and left him; mounted the wall again, let himself down, and then dropped into the knight's premises.

He found the knight walking in great perturbation, and they went into the house.

"Now, good master," said this stout soldier, "go you to bed, and think no more on't."

"To bed!" groaned the knight, in agony. "Why should I go there? I cannot sleep. Methinks I shall never sleep again."

"Then give me the cellar key, good sir. I'll draw a stoup of Canary."

"Ay, wine!" said the knight; "for my blood runs cold in my veins."

The servant lighted a rousing fire in the dining-hall, and warmed and spiced some generous wine, after the fashion of the day, and there sat these two over the fire awaiting daylight and its revelations.

But, meantime, the night was fruitful in events. The prior, informed of Friar Richard's uncharitable interpretations, had condemned him to vigil and prayer on the bare pebbles of the yard, from midnight until three of the clock. But the sly Richard, at dusk, had conveyed a chair into the yard to keep his knees off the cold hard stones.

At midnight, when he came to his enforced devotions, lo, there sat a figure in the chair. He started, and took it for the prior, seated there to lecture him for luxury; but peeping, he soon discovered it was Friar John.

He walked round and round him, talking at him. "Is it Brother John or Brother Richard who is to keep vigil to-night? I know but one friar in all this house would sit star-gazing in his brother's chair, when that brother wants it to pray in," etc.

Brother John vouchsafed no reply; and this stung Brother Richard, and he burned for revenge. "So be it, then," said he; "since my place is taken, I will tell the prior, and keep vigil some other night." With this he retired, and slammed the door. But having thus disarmed, as he conceived, Brother John's suspicion, he took up an enormous pebble, and slipped back on tiptoe, and getting near the angle of a wall, he flung his great pebble at Brother John, and slipped hastily behind the wall; nevertheless, as he hid, he had the satisfaction of seeing his pebble, which weighed about a stone, strike Brother John on the nape of the neck, and then there was a lumping noise and a great clatter, and Friar Richard chuckled with pride and delight at the success of his throw. However, he waited some minutes before he emerged, and then walked briskly out, like a new-comer. There lay John flat, and the chair upset. Brother Richard ran to him, charged with hypocritical sympathy, and found his enemy's face very white. He got alarmed, and felt his heart; he was stone-dead.

The poor monk, whose hatred was of a mere feminine sort, and had never been deadly, was seized with remorse, and he beat his breast, and prayed in earnest,

instead of repeating Paternosters, "preces sine mente dietas," as the great Erasmus calls them.

But other feelings soon succeeded: his enmity to the deceased was well known, and this would be called murder, if the body was found in that yard; and his own life would pay the forfeit.

Casting his eyes round for a place where he might hide the body, he saw a ladder standing against the wall. This surprised him; but he was in no condition to puzzle over small riddles. Terror gave him force: he lifted the body, crawled up the ladder, and placed the body on the wall—it was wider than they build now—then he drew up the ladder, set it on the other side, and took his ghastly load down safely. Then being naturally cunning and having his neck to save, he went and hid the ladder, took up the body, staggered with it as far as the porch of the knight's house, and set it there bolt-upright against one of the pillars.

As he carried it out of the yard he heard a window in the knight's house open. He could not see where the window was, nor whether he was watched and recognized; but he feared the worst, and such was his terror, he resolved to fly the place and bury himself in some distant monastery under another name.

But how? He was lame, and could not go ten miles in a day, whereas a hundred miles was little enough to make him secure.

After homicide, theft is no great matter: he resolved to borrow the maltster's mare, and turn her adrift when she had carried him beyond the hue and cry. So he went and knocked up the maltster, and told him the convent wanted flour, and he was to go betimes to the miller for a sack thereof. Now the convent was a good customer to the maltster; so he lent Friar Richard the mare at a word, and told him where to find the saddle and bridle.

Richard fed the mare for a journey and saddled her; then he mounted and rode at a foot-pace past the convent, meaning to go quietly through the town,

making no stir, then away like the wind.

But as he paced by the knight's house he cast a look ascant to see if that ghastly object still sat in the porch.

No, the porch was empty.

What might that mean? Had he come to life? Had the murder been discovered? He began to wonder and tremble.

While he was in this mood there was a great clatter behind him of horse's feet and clashing armor, and he felt he was pursued.

The knight and his man sat together, drinking hot spiced wine and awaiting daylight. The knight would not go to bed, yet he wanted a change. "Will daylight never come?" said he.

"'Twill be here anon," said the soldier; "in half an hour."

The knight said no, it would never come.

The soldier said he would go and look at the sky, and tell him for certain.

"Be not long away," said the knight, with a shiver, "or the dead friar will be taking thy place here and pledging me."

"Stuff!" said the soldier; "he'll never trouble you more."

With this he marched out to consult the night, and almost ran against the dead friar seated in the porch, white and glaring; this was too much even for the iron soldier; he uttered a sharp yell, staggered back, and burst into the room, gasping for breath. He got close to his master, and stammered out, "The dead man!—sitting in the porch!"—and crossed himself energetically, the first time these thirty years.

The knight stared and trembled: and so they drew close together, with their eyes over their shoulders.

"Wine!" cried the knight.

"Ay," said the soldier: "but I go not alone. He'll be squatting on the cask else."

So they went together to the cellar, often looking round, and fetched two bottles.

They drank them out, and the good wine, falling upon more of the sort, made

them madder and bolder. They rolled along, holding on by one another, to the porch, and there they stood and looked at the dead friar, and shuddered.

But the soldier swore a great oath, and vowed he should not stay there to get them hanged. Thereupon a furious fit of recklessness succeeded to their terror: they got a suit of rusty armor and fastened it on the body; then they saddled an old war-horse that was kept in the stable only as a reminiscence, and tied the friar's body on to him with many cords; they opened the stable door and pricked the old war-horse with their daggers that he clattered out into the road with a bound and a great rattling of rusty armor.

Now as ill luck would have it, Friar Richard and his borrowed mare were pacing demurely through the town scarce fifty yards ahead. The old horse nosed the mare, and, being left to choose his road, took very naturally after her; but when he got near her the monk looked round and saw the ghastly rider. He gave a yell so piercing it waked the whole street, and, for lack of spurs, drove his bare heels into the mare's side: she cantered down the street at an easy pace, the fearful pageant cantered after, the friar kept turning and yelling, and the windows kept opening and heads popped out to see, and by-and-by doors opened and a few early risers joined in the pursuit, wondering and curious.

The cavalcade never cleared the town of Norwich; the friar, in the wildness of despair, turned his mare up what seemed to him an open lane; but there was no exit; his dead pursuer came up with him, and he threw himself off, and cried, "Mercy! mercy! mea culpa!—I confess it! I confess it! only take that horrible face from me!" and in his despair he owned that he had slain Brother John.

Then some led the horse and his ghastly load away, and wondered sore; but others hauled Friar Richard to justice; and he, believing it was a miracle, and Heaven's hand upon him, persisted in his confession, and was cast into prison to abide his trial.

He had not to wait long. In those days the law did not tarry for judges of assize to come round the country now and then. Each town had its mayor and its aldermen, any one of whom could try and hang a man if need was. So Friar Richard was tried next week.

By this time he had somewhat recovered his spirits and his love of life: he defended himself, and said that indeed he had slain his brother, but it was by misadventure; he had thrown a stone at him in some anger, but not to do him deadly harm. This he said with many tears. But, on the other hand, it was proved that he had long hated Brother John; that he had got out of the priory without passing the door, and had borrowed the maltster's mare on a false pretense; and finally, marks of strangulation had been found on the dead man's throat. All this amazed and overpowered the poor friar, and although his terror at the apparition was not easily to be reconciled with his having been the person who tied the body on the horse, and though one alderman, shrewder than the rest, said he thought a great deal lay behind that, yet, upon the whole, it was thought the safest and most usual course to hang him. So he was condemned to die—in three days' time.

The friar, seeing his end so near, struggled no more against his fate. He sent for the prior to confess him, and told the truth with deep sorrow and humility: "Mea culpa! mea culpa!" he cried. "If I had not hated my brother and broken our rule, then this had not come upon me!"

Then the prior gave him full absolution, and went away exceeding sorrowful, and doubting the wisdom and justice of laymen, and in particular of those who were about to hang Brother Richard for willful murder. This preyed upon his mind, and he went to Sir Thomas Erpingham to utter his misgivings, and pray the good knight to work upon the sheriff, who was his friend, for a respite until the matter could be looked into more closely.

The knight was not at home, but my lady saw the prior, and learned his errand. "Alas, good father," said she,

"Sir Thomas is not here; he is gone to London this two days."

The prior went home sick at heart.

Even so long ago as this they hanged from Norwich Castle. So the rude gallows was put up at seven o'clock, and at eight Brother Richard must hang and turn in the wind like a weather-cock.

But before that fatal hour a king's messenger galloped into the city and spurred into the courtyard of the castle. Very soon the sheriff was reading a parchment signed by the king's own hand: the gallows was taken down, and the people dispersed by degrees. Some felt ill used. They thought appointments should be kept, or else not made.

At night Friar Richard, not reprieved, but, to the amazement of smaller functionaries, freely pardoned by his sovereign, in a handwriting a house-maid of this day would blush for, but with a glorious seal the size of an apple fritter, crept forth into the night, and, gliding along the streets with his head down, slipped into the priory, and was lost to the world for many a long day. Indeed, he was confined to his cell for a month by order of the prior, and ordered to pray thrice a day for the soul of Brother John.

When Brother Richard emerged from his cell he was a changed man. He had gathered, amid the thorns of tribulation, the wholesome fruit of humility, and the immortal flower of charity. Henceforth no bitter word ever fell from his lips, though for a time he had many provocations, and "Honi soit qui mal y pense" was the rule of his heart. He made himself of little account, and outlived all enmities. He lived much in his cell, and prayed so often for the soul of Brother John that at last he got to love him dead whom he had hated living.

Time rolled on. The knight's hair turned gray, and the good prior died.

Then there was a great commotion in the little priory, and three or four of the leading friars each hoped to be prior.

That appointment lay with Sir Thomas Erpingham. He attended the funeral of the late prior, and then desired the sub-prior to convene the monks. "Good

brothers," said he, "your prior is Brother Richard. I pray you to invest him forthwith, and yield him due love and obedience."

The knight retired, and the monks stared at each other a while, and then obeyed, since there was no help for it: they invested Brother Richard in due form; and such is the magic of station that, in one moment, they began to look on him with different eyes.

The new prior bore his dignity so meekly that he disarmed all hostility. His great rule of life was still "*Honi soit qui mal y pense*," and there is no course more apt to conciliate respect and good-will. The knight showed him favor and esteem; the monks learned to respect and by-and-by to revere him; but he never ceased to reproach himself, and say masses for the soul of Brother John.

The years rolled on. The knight's gray hair turned white; and one day he sent for the prior, and said to him, "Good father, I have grave matter to entertain you withal."

"Speak, worshipful sir," said the prior.

The knight looked at him awhile, but seemed ill at ease, and as one that hath resolved to speak, but is loath to begin. At last he said, "Sir, there be men that waste their goods in sin, or meanly hoard them till their last hour, yet leave them freely to Mother Church after their death, when they can no longer enjoy them. Others there be whose breasts are laden with a secret crime they ought to confess, and clear some worthy man suspected falsely; yet they will not tell till they come to die. Methinks this is to be charitable too late, and just when justice can neither cost a man aught nor profit his neighbor. Therefore, not to be one of these, I will reveal to you now a deed that sits heavy on my conscience."

"You would confess to me, my son?"

"As man to man, sir, but not as penitent to his confessor; for that were no merit in me: it would be no more than bury my secret in a fleshly grave. Nay, what I tell to you, you shall tell to all the world, if good may come of it."

Here the knight sighed, and seemed

much distempered, like one who wrestleth with himself. Then he cast about how he should begin, and to conclude he opened the matter thus: "Sir, please you read that letter: it was writ by Brother John unto my wife."

The prior read it, but said never a word.

"Sir," said the knight, "do you remember a sad time when you lay in Norwich jail accused of murder and east for death?"

"I do remember it well, sir, and the uncharitable heart that brought me to that pass."

"While you lay there, sir, something befell elsewhere, which I will hide no longer from you. The king being at his palace in London, a knight who had fought by his side in France sought an audience in private. It was granted him at once. Then the knight fell on his knees to the king, and begged that his life and lands might be spared, though he had slain a man in heat of blood. The king was grave but gentle, and then I showed him that letter, and owned the truth, that I and my servant, in our fury, had strangled that hapless monk."

"Alas! sir, did you take my guilt upon yourself to save my life, so fully forfeit? 'Twas I who hated him; 'twas I who flung the stone."

"At a dead body. I tell thee, man, we strangled him, and set his body up where you saw it: hand in his death you had none."

The prior uttered a strange cry, and was silent. The knight continued, in a low voice:

"We set him in the yard; and when we found him in the porch, being half mad with terror and drink together, we bound him on the horse and launched him. All this I told the king, and he, considering the provocation, and pitying too much his old companion in arms, gave me my life and lands, and gave me thine, which, indeed, was but bare justice. So now, sir, you know that you are innocent of bloodshed, and 'tis I am guilty."

The knight looked at the churchman,



and thought to see him break forth into thanksgivings. But it was not so. The prior was deeply moved, but not exultant. "Sir," said he, like a man that is near choking, "let me go to my cell and think over this strange tidings."

"And pray for me, I do implore you," said the knight.

"Ay, sir, and with all my heart."

Some days passed, and the knight looked to hear his own tale come round again. But no; the prior was silent as the grave. Then after a while the knight sent for him again, and said, "Good father, what I told you was not under seal of confession."

"I know it, sir," said the prior. "Yet will it go no further, unless I should outlive you by God's will. Alas! sir, you have taken from me that which was the health of my soul, my belief that I had slain him I hated so unchristian-like. This belief it made humility easy to me, and even charity not difficult. What

engine of wholesome mortification would be left me now, were I to go a-prating that I slew not the brother I hated? Nay, I will never tell the truth, but carry my precious burden of humility all my days."

"Oh, saint upon earth!" cried the knight. "Outlive me, and then tell the truth."

The monk replied not, but pondered these words.

And it fell out so that the knight died three years after, and the prior closed his eyes, and said masses for his soul; and a good while afterward he did, for the honor of the convent, reveal this true story to two young monks, but bound them by a solemn vow not to spread it during his life. After his death the truth got abroad, and among churchmen the prior was much revered, for that he had cured himself of an uncharitable heart, and had enforced on himself the penalty of unjust shame so many years.

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## A SPECIAL CONSTABLE.

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Two women, sisters, kept the toll-bar at a village in Yorkshire. It stood apart from the village, and they often felt uneasy at night, being lone women.

One day they received a considerable sum of money, bequeathed them by a relation, and that set the simple souls all in a flutter.

They had a friend in the village, the blacksmith's wife; so they went and told her their fears. She admitted that theirs was a lonesome place, and she would not live there, for one—without a man. Her discourse sent them home downright miserable.

The blacksmith's wife told her husband all about it when he came in for his dinner. "The fools!" said he: "how is

anybody to know they have got brass in the house?"

"Well," said the wife, "they make no secret of it to me; but you need not go for to tell it to all the town—poor souls!"

"Not I," said the man: "but they will publish it, never fear; leave women-folk alone for making their own trouble with their tongues."

There the subject dropped, as man and wife have things to talk about besides their neighbors. The old women at the toll-bar, what with their own fears and their Job's comforter, began to shiver with apprehension as night came on. However, at sunset the carrier passed through the gate, and at sight of his

friendly face they brightened up. They told him their care, and begged him to sleep in the house that night. "Why, how can I?" said he. "I'm due at —; but I will leave you my dog." The dog was a powerful mastiff.

The women looked at each other expressively. "He won't hurt us, will he?" sighed one of them, faintly. "Not he," said the carrier, cheerfully. Then he called the dog into the house, and told them to lock the door; and went away whistling.

The women were left contemplating the dog with that tender interest apprehension is sure to excite. At first he seemed staggered at this off-hand proceeding of his master; it confused him; then he snuffed at the door: then, as the wheels retreated, he began to see plainly he was an abandoned dog: he delivered a fearful howl, and flew at the door, scratching and barking furiously.

The old women fled the apartment, and were next seen at an upper window, screaming to the carrier. "Come back! come back, John! He is tearing the house down."

"Drat the varmint!" said John, and came back. On the road he thought what was best to be done. The good natured fellow took his great-coat out of the cart and laid it down on the floor. The mastiff instantly laid himself on it. "Now," said John, sternly, "let us have no more nonsense; you take charge of that till I come back, and don't ye let nobody steal that there, nor yet t' wives' brass. There, now," said he, kindly, to the women. "I shall be back this way breakfast-time, and he won't budge till then."

"And he won't hurt *us*, John?"

"Lord no. Bless your heart, he is as sensible as any Christian: only, Lord-sake, women, don't ye go to take the coat from him, or you'll be wanting a new gown yourself, and maybe a petticoat and all."

He retired, and the old women kept at a respectful distance from their protector. He never molested them; and indeed, when they spoke cajolingly to him, he

even wagged his tail in a dubious way; but still, as they moved about he squinted at them out of his blood-shot eye in a way that checked all desire on their parts to try on the carrier's coat.

Thus protected, they went to bed earlier than usual; but they did not undress; they were too much afraid of everything, especially their protector. The night wore on, and presently their sharpened senses let them know that the dog was getting restless: he snuffed and then he growled, and then he got up and pattered about, muttering to himself. Straightway, with furniture, they barricaded the door through which their protector must pass to devour them. But by-and-by, listening acutely, they heard a scraping and a grating outside the window of the room where the dog was; and he continued growling low. This was enough; they slipped out at the back-door, and left their money to save their lives: they got into the village. It was pitch-dark, and all the houses black but two: one was the public-house, casting a triangular gleam across the road a long way off, and the other was the blacksmith's house. Here was a piece of fortune for the terrified women. They burst into their friend's house. "Oh, Jane! the thieves are come!" and they told her in a few words all that had happened.

"La!" said she; "how timorsome you are! ten to one he was only growling at some one that passed by."

"Nay, Jane, we heard the scraping outside the window. Oh, woman, call your man, and let him go with us."

"My man—he is not here."

"Where is he, then?"

"I suppose he is where other working-women's husbands are, at the public-house," said she, rather bitterly, for she had her experience.

The old women wanted to go to the public-house for him: but the blacksmith's wife was a courageous woman, and, besides, she thought it was most likely a false alarm. "Nay, nay," said she, "last time I went for him there I got a fine affront. I'll come with you,"

said she. "I'll take the poker, and we have got our tongues to raise the town with, I suppose." So they marched to the toll-bar. When they got near it, they saw something that staggered this heroine. There was actually a man half in and half out of the window. This brought the blacksmith's wife to a stand-still, and the timid pair implored her to go back to the village. "Nay," said she, "what for? I see but one—and—bark! it is my belief the dog is holding of him." However, she thought it safest to be on the same side with the dog, lest the man might turn on her.

So she made her way into the kitchen, followed by the other two; and there a sight met their eyes that changed all their feelings, both toward the robber and toward each other. The great mastiff had pinned a man by the throat, and was pulling at him, to draw him through the window, with fierce but muffled snarls. The man's weight alone prevented it. The window was like a picture-frame, and in that frame there

glared, with lolling tongue and starting eyes, the white face of the blacksmith, their courageous friend's villainous husband. She uttered an appalling scream, and flew upon the dog and choked him with her two hands. He held, and growled, and tore till he was all but throttled himself, then he let go, and the man fell. But what struck the ground outside, like a lump of lead, was, in truth, a lump of clay: the man was quite dead, and fearfully torn about the throat. So did a comedy end in an appalling and most piteous tragedy; not that the scoundrel himself deserved any pity, but his poor, brave, honest wife, to whom he had not dared to confide the villainy he meditated.

The outlines of this true story were in several journals. I have put the disjointed particulars together as well as I could. I have tried to learn the name of the village, and what became of this poor widow, but have failed hitherto. Should these lines meet the eye of any one who can tell me, I hope he will, and without delay.

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## SUSPENDED ANIMATION.

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A JOURNAL called the *Los Angeles Star* recorded the following incident at the time it occurred:

A gentleman in that city had a very large and beautiful tomcat, which he had reared from a kitten. It was now five years old, and the two animals were mutually attached. Every morning, when the servant brought in the water for his master's tub, puss used to come in and sit at the side of the bed, and gaze with admiration at his employer, and sometimes mew him out, but retired into a corner during the tubbing, which he thought irrational, and came out again

when the biped was clothed and in his right mind. One day the cat was seen in the garden, tumbling over and over in strong convulsions, which ended in its crawling feebly into the house. The master heard, and was very sorry, and searched for the invalid, but could not find him. However, when he went up to bed at night, there was the poor creature stretched upon the floor at the side of the bed, the very place where he used to sit and gaze at his master, and mew him out of bed.

The gentleman was affected to tears by the affectionate creature's death, and his

coming there to die. He threw a handkerchief over poor Tom, and passed a downright unhappy night. He determined, however, to bury his humble friend, and no time was to be lost, the weather being hot. So, when his servant came in to fill his tub, he ordered a little grave to be dug directly, and a box found of a suitable size to receive the remains.

Then he got up, and instead of tubbing, as usual, he thought he would wash poor Tom's body for interment, for it was all stained and dirty with the mould of the garden.

He took the body up, and dropped it into the water with a souse.

That souse was soon followed by a furious splashing that sent the water flying in his face and all about the room, and away flew the cat through the open window, as if possessed by a devil. Nor did the poor body forgive this hydro-pathic treatment, although successful. He took a perverse view, and had never returned to the house "up to the time of our going to press," says the *Los Angeles Star*.

The cat is not the only animal subject to suspension of vital power. Many men and women have been buried alive in this condition, especially on the Continent, where the law enforces speedy interment. Even in Britain—where they do not shovel one into the earth quite so fast—live persons have been buried, and others have had a narrow escape. I could give a volume of instances at home and abroad—one of them an archbishop, who was actually being carried in funeral procession on an open bier, when he came to, and objected, in what terms I know not; but the Scotch have an excellent formula in similar cases. It runs thus: "Bide ye yet, mon; I hae a deal mair mischief to do firrst!"

Two recent English cases I could certify to be true: one a little girl at Nuneaton, who lay several days without signs of life; another, a young lady, not known to the public, but to me. She was dead, in medicine; but her mother refused to let her be buried, because there was no

sign of decomposition, and she did not get so deadly cold as others had whom that mother had lost by death.

This girl remained unburied some days, till another of God's creatures put in his word: a fly thought her worth biting, and blood trickled from the bite. That turned the scale of opinion, and the girl was recovered, and is alive to this day. However, the curious reader who desires to work this vein need go no further than the index of the *Annual Register* and the *Gentleman's Magazine*. As for me, I must not be tempted outside my immediate subject. The parallel I shall confine a very large theme to is exact.

At the opening of the century the public facilities for anatomy were less than now; so then robbing the churchyards was quite a trade, and an egotist or two did worse—they killed people for the small sum a dead body fetched.

Well, a male body was brought to a certain surgeon by a man he had often employed, and the pair lumped it down on the dissecting table, and then the vender received his money and went.

The anatomist set to work to open the body; but, in handling it, he fancied the limbs were not so rigid as usual, and he took another look. Yes, the man was dead; no pulsation either. And yet somehow he was not quite cold about the region of the heart.

The surgeon doubted: he was a humane man; and so, instead of making a fine transverse cut like that at which the unfortunate author of "*Manon Lescaut*," started out of his trance with a shriek to die in right earnest, he gave the poor body a chance; applied hartshorn, vinegar, and friction, all without success. Still he had his doubts; though, to be frank, I am not clear why he still doubted.

Be that as it may, he called in his assistant, and they took the body into the yard, turned a high tap on, and discharged a small but hard-hitting column of water on to the patient.

No effect was produced but this, which an unscientific eye might have passed over: the skin turned slightly pink in

one or two places under the fall of water.

The surgeon thought this a strong proof life was not extinct; but, not to overdo it, he wrapped the man in blankets for a time, and then drenched him again, letting the water strike him hard on the head and the heart in particular.

He followed this treatment up, till at last the man's eyes winked, and then he gasped, and presently he gulped, and by-and-by he groaned, and eventually uttered loud and fearful cries as one battling with death.

In a word, he came to, and the surgeon put him into a warm bed, and as medicine has its fashions, and bleeding was the panacea of that day, he actually took blood from the poor body. This ought to have sent him back to the place from whence he came—the grave, to wit; but somehow it did not: and next day the reviver showed him with pride to several visitors, and prepared an article.

Resurrectus was well fed, and, being a pauper, was agreeable to lie in that bed forever, and eat the bread of science. But, as years rolled on, his preserver got tired of that. However, he had to give him a suit of his own clothes to get rid of him. Did I say years? I must have meant days.

He never did get rid of him; the fellow used to call at intervals and demand charity, urging that the surgeon had taken him out of a condition in which he felt neither hunger, thirst, nor misery, and so was now bound to supply his natural needs.

However, I will not dwell on this painful part of the picture, lest learned and foreseeing men should, from the date of reading this article, confine resuscitation to quadrupeds.

To conclude with the medical view. To resuscitate animals who seem dead, but are secretly alive, drop them into water from—or else drop water on them from—  
A SUFFICIENT HEIGHT.

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## LAMBERT'S LEAP.

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NEAR Newcastle is Sandy-ford Bridge, thirty-six feet above the river, which, like many Northern streams, is seldom quite full, but flows in a channel, with the rocky bed bare on each side: an ugly bridge to look up to or to look over, driving by.

In Scotland and the north of England, when our wise ancestors got hold of so dizzy and dangerous a place, they made the most of it; with incredible perversity, they led the approach to such a bridge either down a steep or nearly at right angles. They carried Sandy-ford Lane up to the bridge on the rectangular plan, and thereby secured two events, which were but the natural result of their skill in road-making, yet, taken

in conjunction, have other claims to notice.

At a date I hope some day to ascertain precisely, but at present I can only say that it was very early in the present century, a young gentleman called Lambert was run away with by his horse; the animal came tearing down Sandy-ford Lane, and, thanks to ancestral wisdom aforesaid, charged the bridge with such momentum and impetus that he knocked a slice of the battlement and half a ton of masonry into the air, and went down after it into the river with his rider.

The horse was killed; Mr. Lambert, though shaken, was not seriously injured by this awful leap. The masonry was repaired; and, to mark the event, these

words, "LAMBERT'S LEAP," were engraved on the new coping-stone. The road was allowed to retain its happy angle.

December 5, 1822, about eleven, forenoon, Mr. John Nicholson, of Newcastle, a student in surgery, was riding in Sandy-ford Lane. His horse ran away with him, and, being unable to take the sharp turn for such cases made and provided, ran against the battlement of the bridge. It resisted this time, and brought the horse to his knees; but the animal, being now thoroughly terrified, rose and actually leaped or scrambled over the battlement, and fell into the rocky bed below,

carrying away a single coping-stone, viz., the stone engraved "LAMBERT'S LEAP." That stone was broken to pieces by the fall. The poor young man was so cruelly injured that he never spoke again; he died at seven o'clock that evening; but the horse was so little the worse, and so tamed by the fall, that he was at once ridden into Newcastle for assistance.

The reversed fates of the two animals, and the two incidents happening within an inch of each other, have earned them a place in this collection.

Richardson's *Local Historian's Table-Book* relates the second leap, and refers to the first, which is also authenticated.

## MAN'S LIFE SAVED BY FOWLS, AND WOMAN'S BY A PIG.

MEN'S lives have been sometimes taken, sometimes saved, by other animals, in ways that sound incredible until the details are given.

Here is a list that offers a glimpse into the subject, nothing more:

1. Several ships and crews destroyed by fish.
2. Two ships and crews saved by fish.
3. One crew saved by a dog.
4. Many men killed by dogs, and many saved.
5. Many men killed by horses, and many saved.
6. Men killed, and saved, by rats.
7. Man killed by a dead pig.
8. Woman saved from death by a live pig.
9. Man saved by fowls.
10. Ditto by a crocodile.
11. Ditto by a lady-bird.
12. One man executed by the act of a horse.
13. Crows leading to the execution of murderers.
14. A man's life saved by an ape.

15. Ditto by a bear.

16. Ditto by a fox.

Some of these sound like riddles, and are at least as well worth puzzling over as acrostics and conundra.

I will leave the majority to rankle in my reader, and rouse his curiosity. But I feel he is entitled to some immediate proof that the whole list is not a romance; so I will relate 8 and 9, by way of specimen.

And here let me promise that, as a general rule, I exclude from this collection all those wonderful stories about animals which are found only in books especially devoted to that subject. Those writers are all theorists—men with an amiable bias in favor of the inferior animals. This tempts them to twist and exaggerate facts, and even to repeat stale falsehoods which have gone the round for years, but never rested on the evidence of an eye-witness.

On the other hand, when some plain man, who has no theory, writes down a story at the time and on the spot, and

sends it off to a newspaper or other chronicle of current events, where it lies open to immediate contradiction, then we are on the *terra firma* of history.

*Example.*—Here is a letter written on the spot and at the time to a newspaper, and transferred from that newspaper to the *Annual Register*:

## EXTRACT OF A LETTER FROM NOTTINGHAM.

“January 9, 1761.

“On Tuesday sennight Mr. Hall’s servant, of Beckingham, returning from market, and finding the boat at Gainsborough putting off from shore full of people, was so rash and imprudent (to say no worse of it) as to leap his horse into the boat, and with the violence of the fall drove the poor people and their horses to the further side, which instantly carried the boat into the middle of the stream and overset it.

“Imagine you see the unfortunate sufferers all plunging in a deep and rapid river, calling out for help and struggling for life. It was all horror and confusion; and during this situation the first account was dispatched, which assured us that out of eighty souls only five or six were saved. By a second account we were told that there were only thirty on board, but that out of these above twenty had been drowned. This was for some time believed to be the truest account: but I have the pleasure to hear by a third account that many of those who were supposed to be lost have been taken up alive,

some of them at a great distance from the ferry, and that no more than six are missing, though numbers were brought to life with difficulty. It was happy for them that so many horses were on board, as all who had time to lay hold of a stirrup or a horse’s tail were brought safe to shore.

“A poor man who had a basket of fowls upon his arm was providentially buoyed up till assistance could be had, and he, after many fruitless attempts, was at last taken up alive, though senseless, at a distance of four hundred yards from the ferry.

“A poor woman who had bought a pig, and had tied one end of a string round its foot and the other round her own wrist, was dragged safe to land in this providential manner.”

Observe—I am better than my word; for I have thrown you in the circumstance that the horses saved the rest: certainly in this particular business the lord of the creation does not show that vast superiority to the brutes which he assumes in some of his sculptures and nearly all his writings, Butler’s *Analogy* included. The animal that makes the mischief by his folly is a man; the animals that prove incompetent to save their own lives are the men. All the other animals in the boat, down to the very pig, turn to and pull the lords and ladies of the creation out of the mess one of these peerless creatures had plunged them all into.

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## REALITY.

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MISS SOPHIA JACKSON, in the State of Illinois, was a beautiful girl, and had a devoted lover, Ephraim Slade, a merchant’s clerk. Their attachment was sullenly permitted by Miss Jackson’s

parents, but not encouraged: they thought she might look higher.

Sophia said, “Why, la! he was handsome and good, and loved her, and was not that enough?”

They said, "No; to marry Beauty, a man ought to be rich."

"Well," said Sophy, "he is on the way to it: he is in a merchant's office."

"It is a long road; for he is only a clerk."

The above is a fair specimen of the dialogue, and conveys as faint an idea of it as specimens generally do.

All this did not prevent Ephraim and Sophia from spending many happy hours together.

But presently another figure came on the scene—Mr. Jonathan Clarke. He took a fancy to Miss Jackson, and told her parents so, and that she was the wife for him, if she was disengaged. They said, "Well, now, there was a young clerk after her, but the man was too poor to marry her."

Now Mr. Jonathan Clarke was a wealthy speculator; so, on that information, he felt superior, and courted her briskly.

She complained to Ephraim. "The idea of their encouraging that fat fool to think of me!" said she. She called him old, though he was but thirty; and turned his person and sentiments into ridicule, though, in the opinion of sensible people, he was a comely man, full of good sense and sagacity.

Mr. Clarke paid her compliments. Miss Jackson laughed, and reported them to Slade in a way to make him laugh too.

Mr. Clarke asked her to marry him. She said no; she was too young to think of that. She told Ephraim she had flatly refused him.

Mr. Clarke made her presents. She refused the first, and blushed, but was prevailed on to accept. She accepted the second and the third, without first refusing them.

She did not trouble Ephraim Slade with any portion of this detail. She was afraid it might give him pain.

Clarke wooed her so warmly that Ephraim got jealous and unhappy. He remonstrated. Sophia cried, and said it was all her parents' fault—forcing the man upon her.

Clarke was there every day. Ephraim

scolded. Sophia was cross. They parted in anger. Sophia went home and snubbed Clarke. Clarke laughed and said, "Take your time."

He stuck there four hours. She came round, and was very civil.

Matters progressed. Ephraim always unhappy. Clarke always jolly. Parents in the same mind.

Clarke urged her to name the day.

"Never!"

Urged her again.

"Next year."

Urged her again before her parents. They put in their word. "Sophy, don't trifle any longer. You are overdoing it."

"There, there, do what you like with me," said the girl; "I am miserable!" and ran out crying.

Clarke and parents laughed, and stayed behind, and settled the day.

When Sophy found they had settled the day, she sent for Ephraim and told him, with many tears. "Oh!" said she, "you little know what I have suffered this six months."

"My poor girl!" said Ephraim. "Let us elope and end it."

"What! My parents would curse me."

"Oh, they would forgive us in time."

"Never. You don't know them. No, my poor Ephraim, we are unfortunate. We can never be happy together. We must bow. I should die if this went on much longer."

"You are a fickle, faithless jade," cried Ephraim, in agony.

"God forgive you, dear!" said she, and wept silently.

Then he tried to comfort her. Then she put her arm round his neck and assured him she yielded to constraint, but her heart could never forget him; she was more unhappy than he, and always should be.

They parted, with many tears on both sides, and she married Clarke. At her earnest request Slade kept away from the ceremony; by that means she was not compelled to wear the air of a victim, but could fling the cloak of illusory happiness







AWAY FLEW THE CAT THROUGH THE OPEN WINDOW.  
—Suspended Animation.

and gayety over her aching heart; and she did it, too. She was as gay a bride as had been seen for some years in those parts.

Ephraim Slade was very unhappy. However, after a bit, he comprehended the character of Sophia Clarke, *née* Jackson, and even imitated her. She had gone in for money, and so did he: only on the square—a detail she had omitted. Years went on: he became a partner in the house, instead of a clerk. The girls set their caps at him. But he did not marry. Mrs. Clarke observed this, and secretly approved. Say she had married, that was no reason why *he* should. *Justice des femmes!*

Now you will observe that, by all the laws of fiction, Mrs. Clarke ought to have learned, to her cost, that money does not bring happiness, and ought to have been miserable, especially whenever she encountered the pale face of him whose love she valued too late.

Well, she broke all those laws, and went in for Life as it is. She was happier than most wives. Her husband was kind, but not doting; a gentle master, but no slave; and she liked it. She had two beautiful children, and they helped fill her life. Her husband's gold smoothed her path, and his manly affection strewed it with flowers. She was not passionately devoted to him, but still, by the very laws of nature, the wife was fonder of Jonathan than the maid had ever been of Ephraim; not but what the latter remaining unmarried tickled her vanity, and so completed her content.

She passed six years in clover, and the clover in full bloom all the time. Nevertheless, gilt happiness is apt to get a rub sooner or later. Clarke had losses one upon another, and at last told her he was done for. He must go back to California and make another fortune. "Lucky the old folks made me settle a good lump on you," said he. "You are all right, and the children."

Away went stout-hearted Clarke, and left his wife behind. He knew the country, and went at all in the ring, and began to remake money fast.

His letters were not very frequent, nor models of conjugal love, but they had good qualities; one was their contents—a draft on New York.

Some mischievous person reported that he was often seen about with the same lady; but Mrs. Clarke did not believe that, the remittances being regular.

But presently both letters and remittances ceased. Then she believed the worst, and sent a bitter remonstrance

She received no reply.

Then she wrote a bitterer one, and, for the first time since their union, cast Ephraim Slade in his teeth. "There he is," said she, "unmarried to this day, for my sake."

No reply even to this.

She went to her parents, and told them how she was used.

They said they had foreseen it—that being a lie some people think it necessary to deliver themselves of before going seriously into any question—and then, after a few pros and cons, they bade her observe that her old lover, Ephraim Slade, was a rich man, a man unmarried, evidently for her sake; and if she was wise, she would look that way, and get rid of a mock husband, who was probably either dead or false, and, in any case, had deserted her.

"But what am I to *do*?" said Mrs. Clarke, affecting not to know what they were driving at.

"Why, sue for a divorce."

"Divorce Jonathan! Think of it! He is the father of my children, and he was a good husband to me all the time he was with me. It is all that nasty California." And she began to cry.

The old people told her she must take people as they were, not as they had been; and it was no fault of hers, nor California's, if her husband was a changed man.

In short, they pressed her hard to sue for a divorce and let Slade know she was going to do it.

But the woman was still handsome and under thirty, and was not without a certain pride and delicacy that grace her sex even when they lack the more solid

virtues. "No," said she, "I will never go begging to any man. I'll not let Ephraim Slade think I divorced my husband just to get him. I'll part with Jonathan, since he has parted with me, and after that I will take my chance. Ephraim Slade? he is not the only man in the world with eyes in his head."

So she sued for a divorce, and got it quite easy. Divorce is beautifully easy in the West.

When she was free, she had no longer any scruple about Ephraim. He lived at a town seven miles from her. She had a friend in that town. She paid her a visit. She let the other lady into her plans, and secured her co-operation. Mrs. X— set it abroad that Mrs. Clarke was a widow; and, from one to another, Ephraim Slade was given to understand that a visit from him would be agreeable.

"Will it?" said Ephraim. "Then I'll go."

He called on her, and was received with a sweet pensive tenderness. "Sit down, Ephraim—Mr. Slade," said she, softly and tremulously, and left the room. She had scarcely cleared it, when he heard her tell the female servant, with a sharp, imperious tone, to admit no other visitors. It did not seem the same voice. She came back to him melodious. "The sight of you after so many years upset me," said she. Then, after a pause and a sigh, "You look well."

"Oh, yes, I am all right. We are neither of us quite so young as we were, you know."

"No, indeed" (with another sigh). "Well, dear friend, I suppose you have heard. I am punished, you see, for my want of courage and fidelity. I have always been punished. But you could not know that. Perhaps, after all, you have been the happier of the two. I am sure I hope you have."

"Well, I'll tell you. Mrs. Clarke," said he, in open, manly tones.

She stopped him. "Please don't call me Mrs. Clarke, when I have parted with the name forever." (*Sotte voce.*) "Call me Sophia."

"Well, then, Sophia, I'll tell you the truth. When you jilted me—"

"Oh!"

"And married Cl—who shall I say? Well, then, married *another*, because he had got more money than I had—"

"No, no. Ephraim, it was all my parents. But I will try and bear your reproaches. Go on."

"Well, then, of course I was awfully cut up. I was wild. I got a six-shooter to kill you and—the other."

"I wish you had," said she. She didn't wish anything of the kind.

"I'm very glad I didn't, then. I dropped the six-shooter and took to the moping and crying line."

"Poor Ephraim!"

"Oh, yes: I went through all the changes, and ended as other men do."

"And how is that?"

"Why, by getting over it."

"What! you have got over it?"

"Lord, yes; long ago."

"Oh! in—deed!" said she, bitterly. Then, with sly incredulity, "How is it you have never married?"

"Well, I'll tell you. When I found that money was everything with you girls, I calculated to go in for money too. So I speculated, like—the other, and made money. But when I had once begun to taste money-making, somehow I left off troubling about women. And, besides, I know a great many people, and I look coolly on, and what I see in every house has set me against marriage. Most of my married friends envy me, and say so. I don't envy any one of them, and don't pretend to. Marriage! it is a bad institution. You have got clear of it, I hear. All the better for you. I mean to take a shorter road: I won't ever get into it."

This churl, then, who had drowned hot passion in the waves of time, and, instead of nursing a passion for her all his days, had been hugging celibacy as man's choicest treasure, asked her coolly if there was anything he could do for her. Could he be of service in finding out investments, etc., or could he place either of the boys in the road to wealth? In-

stead of hating these poor children, like a man, he seemed all the more inclined to serve them that their absent parent had secured him the sweets of celibacy.

She was bursting with ire, but had the self-restraint to thank him, though very coldly, and to postpone all discussion of that kind to a future time. Then he shook hands with her and left her.

She was wounded to the core. It would have been very hard to wound her heart as deeply as this interview wounded her pride.

She sat down and shed tears of mortification.

She was aroused from that condition by a letter in a well-known hand. She opened it, all in a flutter :

“MY DEAR SOPHY—You are a nice wife, you are. Here I have been slaving my life out for you, and shipwrecked, and nearly dead with a fever, and coming home rich again, and I asked you just to come from Chicago to New York to meet me, that have come all the way from China and San Francisco, and it is too much trouble. Did you ever hear of Lunham’s dog that was so lazy he leaned against the wall to bark? It is very disheartening to a poor fellow that has played a man’s part for you and the children. Now be a good girl, and meet me at Chicago to-morrow evening at 6 P.M. For if you don’t, by thunder! I’ll take the children and absquatulate with them to Paris, or somewhere. I find the drafts on New York I sent from China have never been presented. Reckon by that you never got them. Has that raised your dander? Well, it is not my fault; so put on your bonnet and come and meet

“Your affectionate husband,

“JONATHAN CLARKE.

“I sent my first letter to your father’s house. I send this to your friend Mrs. X—”

Mrs. Clarke read this in such a tumult of emotions that her mind could not settle a moment on one thing. But when she had read it, the blood in her beating veins began to run cold.

What on earth should she do? Fall to the ground between two stools? No; that was a man’s trick, and she was a woman, every inch.

She had not any time to lose; so she came to a rapid conclusion. Her acts will explain better than comments. She dressed, packed up one box, drove to the branch station, and got to Chicago. She bought an exquisite bonnet, took private apartments at a hotel, and employed an intelligent person to wait for her husband at the station, and call out his name, and give him a card, on which was written

“Mrs. Jonathan Clarke.

At the X— Hotel.”

This done, she gave her mind entirely to the decoration of her person.

The ancients, when they had done anything wrong and wanted to be forgiven, used to approach their judges with disheveled hair, and shabby clothes. *Sordidis vestibus.*

This poor shallow woman, unenlightened by the wisdom of the ancients, thought the nicer a woman looked, the likelier a man would be to forgive her, no matter what. So she put on her best silk dress, and her new French hat bought on purpose, and made her hair very neat, and gave her face a wash and a rub, that added color. She did not rouge, because she calculated she should have to cry before the end of the play, and crying hard over rouge makes channels.

When she was as nice as could be, she sat down to wait for her *divorcé*; she might be compared to a fair spider which has spread her web to catch a wasp, but is sorely afraid that, when he does come, he will dash it all to ribbons.

The time came and passed. An expected character is always as slow to come as a watched pot to boil.

At last there was a murmur on the stairs; then a loud hearty voice; then a blow at the door—you could not call it a tap—and in burst Jonathan Clarke, brown as a berry, beard a foot long, genial and loud, open-heart, Californian manners.

At sight of her he gave a hearty “Ah!” and came at her with a rush to clasp her

to his manly bosom, and knocked over a little cane chair gilt.

The lady, quaking internally, and trembling from head to foot, received him like the awful Siudons, with one hand nobly extended, forbidding his profane advance. "A word first, if you please, sir."

Then Clarke stood transfixed, with one foot advanced, and his arm in the air, like Ixion, when Juno turned cloud.

"You have ordered me to come here, sir, and you have no longer any right to order me: but I am come, you see, to tell you my mind. What, do you really think a wife is to be deserted and abandoned, most likely for some other woman, and then be whistled back into her place like a dog? No man shall use *me* so."

"Why, what is the row? has a mad dog bitten you, ye cantankerous critter?"

"Not a letter for ten months, that is the matter!" cried Mrs. Clarke, loud and aggressive.

"That is not my fault. I wrote three from China, and sent you two drafts on New York."

"It is easy to say so: I don't believe it." (Louder and aggressiver.)

CLARKE (*bauling in his turn*). "I don't care whether you believe it or not. Nobody but you calls Jony Clarke a liar."

MRS. CLARKE (*competing in violence*). "I believe one thing, that you were seen all about San Francisco with a lady. 'Twas to her you directed my letters and drafts: that is how I lost them. It is always the husband that is in fault, and not the post." (Very amicably all of a sudden :) "How long were you in California after you came back from China?"

"Two months."

"How often did you write in that time?" (Sharply.)

"Well, you see, I was always expecting to start for home."

"You never wrote once." (Very loud.)

"That was the reason."

"That and the lady." (Screaming loud.)

"Stuff! Give me a kiss, and no more nonsense."

(Solemnly :) "That I shall never do again. Husbands must be taught not to trifle with their wives' affections in this cruel way." (Tenderly :) "Oh, Jonathan, how could you abandon me? What could you expect? I am not old; I am not ugly."

"D—n it all, if you have been playing any games"—and he felt instinctively for a bowie-knife.

"Sir!" said the lady, in an awful tone, that subjugated the monster directly.

"Well, then," said he, sullenly, "don't talk nonsense. Please remember we are man and wife."

MRS. CLARKE (*very gravely*). "Jonathan, we are not."

"Damnation! what do you mean?"

"If you are going into a passion, I won't tell you anything: I hate to be frightened. What language the man has picked up—in California!"

"Well, that's neither here nor there. You go on."

"Well, Jonathan, you know I have always been under the influence of my parents. It was at their wish I married you."

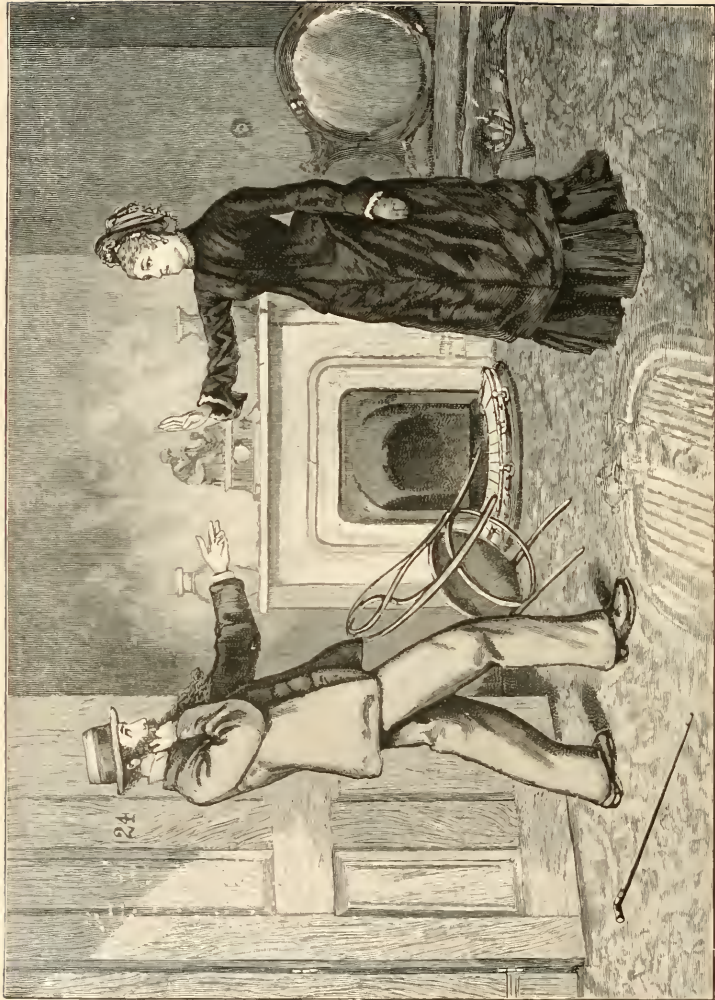
"That is not what you told me at the time."

"Oh, yes, I did; only you have forgotten. Well, when no word came from you for so many months, my parents were indignant, and they worked upon me so and pestered me so—that—Jonathan, we are divorced."

The actress thought this was a good point to cry at, and cried accordingly.

Jonathan started at the announcement, swore a hearty, and then walked the room in rage and bitterness. "So, then," said he, "you leave the woman you love, and the children whose smiles are your heaven: you lead the life of a dog for them, and when you come back, by God, the wife of your bosom has divorced you, just because a letter or two miscarried! That outweighs all you have done and suffered for her. Oh, you are crying, are you? What, you have given up facing it out, and laying the blame on me, have you?"





"A WORD, FIRST, IF YOU PLEASE, SIR."  
—Reality.



"Yes, dear; I find you were not to blame: it was—my parents."

"Your parents! Why, you are not a child, are you? You are the parent of my children, you little idiot: have you forgotten that?"

"No. Oh! oh! oh! I have acted hastily, and very, very wrong."

"Come, that is a good deal for a pretty woman to own. There, dry your eyes, and let us order dinner."

"What! dine with *you*?"

"Why, d—n it, it is not the first time by a few thousand."

"La, Jonathan, I *should* like; but I *mustn't*."

"Why not?"

"I should be compromised."

"What, with me?"

"Yes; with any gentleman. Do try and realize the situation, dear. *I am a single woman*."

Good Mr. Clarke—from California—delivered a string of curses so rapidly that they all ran into what Sir Walter calls a "clishmaclaver," even as when the ringers clash and jangle the church bells.

Mrs. Clarke gave him time; but as soon as he was in a state to listen quietly, compelled him to realize *her* situation. "You see," said she, "I am obliged to be very particular now. Delicacy demands it. You remember poor Ephraim Slade?"

"Your old sweetheart. Confound him! has he been after you again?"

"Why, Jonathan, ask yourself. He has remained unmarried ever since; and when he heard I was free, of course he entertained hopes; but I kept him at a distance; and so" (tenderly and regretfully) "I must you. *I am a single woman*."

"Look me in the face, Sophy. You won't dine with me?"

"I'd give the world; but I *mustn't*, dear."

"Not if I twist your neck round—darling—if you don't?"

"No, dear. You shall kill me, if you please. But I am a respectable woman, and I will not brave the world. But I know I have acted rashly, foolishly,

ungratefully, and deserve to be killed. KILL ME, DEAR—you'll forgive me then." With that, she knelt down at his feet, crossed her hands over his knees, and looked up sweetly in his face with brimming eyes, waiting, yea, even requesting, to be killed.

He looked at her with glistening eyes. "You cunning hussy," said he; "you know I would not hurt a hair of your head. What is to be done? I tell you what it is, Sophy: I have lived three years without a wife, and that is enough. I won't live any longer so—no, not a day. It shall be you, or somebody else. Ah! what is that?—a bell. I'll ring, and order one. I've got lots of money. They are always to be had for that, you know."

"Oh, Jonathan! don't talk so. It is scandalous. How can you get a wife all in a minute—by ringing?"

"If I can't, then the town-crier can. I'll hire him."

"For shame."

"How is it to be, then? You that are so smart at dividing couples, you don't seem to be very clever in bringing 'em together again."

"It was my parents, Jonathan, not me. Well, dear, I always think when people are in a difficulty, the best thing is to go to some very *good* person for advice. Now, the best people are the clergymen. There is one in this street, No. 18. Perhaps he could advise us."

Jonathan listened gravely for a little while, before he saw what she was at; but the moment he caught the idea so slyly conveyed, he slapped his thigh and shouted out, "You are a sensible girl. Come on." And he almost dragged her to the clergyman. Not but what he found time to order a good dinner in the hall as they went.

The clergyman was out, but soon found: he remarried them: and they dined together man and wife.

They never mentioned grievances that night; and Jonathan said, afterward, his second bridal was worth a dozen of his first; for the first time she was a child, and had to be courted up-hill; but

the second time she was a woman, and knew what to say to a fellow.

Next day Mr. and Mrs. Clarke went over to —. They drove about in an open carriage for some hours, and did a heap of shopping. They passed by

Ephraim Slade's place of business much oftener than there was any need, and slower. It was Mrs. Clarke who drove. Jonathan sat and took it easy.

She drives to this day.

And Jonathan takes it easy.

## EXCHANGE OF ANIMALS.

OLD traditions linger in country places long after they have perished in great towns. Were the English provinces to be groped for modern antiquities, and the sum total presented, the general reader would be amazed at the mass of ancient superstition lingering in modern England. Not only do popish practices, popish legends and charms, flourish in our most Puritanical counties, but even pagan rites and ceremonies. In the north the mummers at Christmas, of all days, dance a sword-dance which belongs to the worship of a Scandinavian god; in Northumberland and parts of Ireland, the young folks still make little bonfires and leap through them on a certain day, though the practice is forbidden in the Old Testament as an abomination, for this is no other thing than "going through the fire to Baal," and is one of the many signs that we Celts were an Oriental tribe. Any novice wishing to strike this vein of lore without much trouble has only to read the excellent book of Mr. Henderson, and grope the index to *Notes and Queries*. I strongly recommend the latter course.

"For index-reading turns no student pale.  
Yet takes the eel of science by the tail."

My own reading in such matters has taught me one thing—to suspect old tradition whenever I encounter any strange practice down in the country. Why, even rustic mispronunciation is often a relic, where it passes for an error. Rusticus

calls a coroner's inquest "crownner's quest," and the educated smile superior. But Rusticus is not wrong: he is only in arrear. "Crownner's quest" is the true medieval form, and was once universal. Every English peasant calls a theater a theæter, and young gentlemen sneer. Yet theæter is the true pronunciation; and fifty years before Shakespeare nobody, high or low, mispronounced the word into theater, as he does and we do.

To the tenacity of old tradition I ascribe a prevalent notion, in rude parts of this country, that an Englishman and his wife can divorce themselves under certain conditions. 1st. the parties must consent; 2d. there must be a public auction; 3d. the lady must be sold with a halter round her neck. That our rural population ever invented this law is improbable in itself and against evidence: there are examples of the practice as old as any chronicle we have; and I really suspect that in some barbarous age—later, perhaps, than our serious worship of Baal, but anterior to our earliest Saxon laws—this rude divorce by consent was the unwritten law of Britain.

The thing has been done in my day many times, and related in the journals, and I observe that it is always done with similar ceremonies, and that the lower order of people, though they jeer, are not shocked at it, nor does it seem to strike them as utterly and profoundly illegal. It dates, I apprehend, from a time when marriage was a partnership at will, and

the Roman theory that marriage is a sacrament, and the English theory that marriage is not a sacrament, but half a sacrament, were alike unknown to a primitive people.

My note-book contains numerous examples. I select one with a bit of color, which was published at the date when it occurred.

Joseph Thompson rented a farm of forty acres in a village three miles from Carlisle. In 1829 he married a spruce, lively girl twenty-two years of age.

They had many disputes, and no children. So after three years they agreed to part.

The bell-man was sent round the village to announce that Joseph Thompson would sell Mary Anne Thompson by auction on April 5, 1832, at noon precisely.

At the appointed hour Joseph Thompson stood on a table, and his wife a little below him on an oak chair, with a halter of straw round her neck. He put her up for sale in terms that a by-stander thought it worth while to take down on the spot.

"Gentlemen, I have to offer to your notice my wife, Mary Anne Thompson, otherwise Williamson. It is her wish as well as mine to part forever, and will be sold without reserve to the highest bidder. Gentlemen, the lot now offered for competition has been to me a bosom serpent. I took it for my comfort and the good of my house; but it became my tormentor, a domestic curse, a night invasion, and a daily devil. The Lord deliver us from termagant wives and troublesome widows! Gentlemen, avoid them as you would a mad dog, a roaring lion, a loaded pistol, *cholera morbus*, or any other pestilential phenomenon—"

Here it seems to have occurred to Joseph Thompson that he was not going the way to sell his lot at a high figure; so he tried to be more the auctioneer and less the husband.

"However," said he, "now I have told you her little defects, I will present the bright and sunny side of her. She can read novels, milk cows, and laugh and weep with the same ease that you could

toss off a glass of ale. What the poet says of women in general is true to a hair of this one—

'Heaven gave to women the peculiar grace  
To laugh, to weep, and cheat the human race.'

She can make butter and scold the maid; she can sing Moore's Melodies, and plait her own frills and caps. She cannot make rum, nor gin, nor whisky; but she is a good judge of all three from long experience in tasting them. What shall we say for her, with all her perfections and imperfections?—fifty shillings to begin?"

There was a dead silence. He had better have employed George Robins, Senior, "Cuilibet in sua arte credendum." There was no bidding at all. Then the auctioneer was angry, and threatened to take the lot home.

The company in general sustained this threat with composure; but one Mears conceived hopes, and asked modestly whether an exchange could not be made. "I have here," said he, "a Newfoundland dog—a beauty. He can fetch and carry; and if you fall in the water, drunk or sober, he'll pull you out."

Thompson approved the dog, but objected to give a Christian in even exchange for a quadruped. Each species has a prejudice in its own favor, owing to which the company backed him. So at last Mears agreed to give the dog and twenty shillings to boot.

The bargain was made. Thompson took the halter off the wife and put it round the dog, and Mears led his purchase away by the hand, amid the shouts and huzzas of the multitude, in which they were joined by Thompson.

After a while, however, the latter recollected he had a duty to perform. "I must drink the new-married couple's health," said he, gravely. Accordingly he adjourned with his dog and his money to the public-house, and toasted his deliverer so zealously that he took nothing home from the sale except the dog. Fortunately for *him*, a man can't drink his superior.

## THE TWO LEARS.

GEOFFREY of Monmouth tells the old British legend of King Leir. Hollingshead repeats it, and from him Shakespeare took it, and made the dry bones live. In that great master's hands the tale broadened and deepened. It became more tragical than the original record.

This is the outline of Shakespeare's story:

King Lear, being old, and disposed to enjoy ease and dignity without the cares of state, resolved to divide his kingdom among his three daughters: their names were Goneril, Duchess of Albany, Regan, Duchess of Cornwall, and Cordelia, unmarried, but courted by the king of France and the Duke of Burgundy, then a powerful monarch, though nominally vassal to the French king.

When it came to the division, the old king was weak enough to tell his daughters he should give the larger share to the one who loved him best, and should prove her love by words.

This was to invite cheap protestations, and accordingly, two of the ladies, Goneril and Regan, vied in lip-love: Goneril said she loved him more than words could utter, yet she found words to paint filial love in tolerably glowing terms: for she went so far as to say that she loved him dearer than eyesight, space, or liberty, and no less than honor, beauty, health, and life itself; with more to the same tune.

Regan could not soar above this: so she had the address to say that her sister had spoken her very mind, only she, Regan, went a little further, and detested all other joys but that of filial love.

The royal parent believed all this, and then turned to his favorite, his youngest, and asked her what she could say to draw from him a larger dowry than her sisters had just earned—with their tongues.

*Cordelia.* Nothing, my lord.

*Lear.* Nothing.

*Cord.* Nothing.

*Lear.* Nothing can come of nothing: speak again.

Cordelia was a little frightened of her father's anger: but she would only say that she loved her father as a daughter should: she obeyed him, loved him, honored him, and thought it no merit, but a thing of course. She also declined frankly to believe that her sisters, who were wives, had no love for their husbands, only for their father; nor could she promise to reserve all her love for her father, and give none to the man she might wed.

The fact is, she being a woman, her sisters were such transparent humbugs to her that it made her rather blunt in her honesty, and she did not gild the pill.

*Lear.* So young, and so untender?

*Cord.* So young, my lord, and true.

*Lear.* Let it be so; thy truth then be thy dower.

He then went into a violent passion, and disowned her as his daughter, and ordered her from his presence, while he settled with his favorite daughters what retinue he was to have as a retired king, and where he was to live.

Afterward he sent for Cordelia and the princes her suitors; he told them to her face he had disinherited her, and he used terms of invective, so ambiguous that Cordelia, who had borne all the rest in silence, now interfered, and appealed to his justice to tell those gentlemen she had lost his favor not by any unchaste or dishonorable act, but for want of a greedy eye and a flattering tongue.

Lear evaded this remonstrance, and upbraided her again in general terms; but Cordelia's appeal was not lost upon her

suitors. Burgundy, indeed, only offered to take her with the dowry originally proposed, and on the king refusing this, he declined her hand. But thereupon this pitiable scene was redeemed by a trait of nobility: France, who had come there for a rich dowry as well as a bride, was now fired with nobler sentiments, and welcomed a pearl of Womanhood, without land or money.

Fairest Cordelia, thou art most rich, being poor;  
More choice, forsaken; and most loved, despised!  
Thy dowerless daughter, king, thrown to my  
chance.

Is queen of us, of ours, and our fair France:  
Not all the dukes of wat'rish Burgundy  
Shall buy this unprized, precious maid of me.

Even this noble burst did not enlighten or soften the impetuous old king, whose vanity had been publicly wounded. He actually took the arm of Burgundy, the pally duke who had admitted he wooed the lady only for her substance, and he bade the only daughter who really loved him begone.

Without his love, his grace, his benison.

France was as glad to have her as he to part with her, and so she disappeared for a time from the scene.

Now the terms of Lear's retirement, which I alluded to above, were these: he was to retain the title of a king, and a retinue of a hundred knights, to be kept at the expense of his regal daughters, and he and that retinue were to reside a month at a time with each princess in turn.

He began his new life in the palace of his daughter Goneril.

He and his knights soon became burdensome to that lady, and she made the most of every little offense. She resolved to shift him on to her sister, and gave insidious instructions to her major-domo.

Put on what weary negligence you please,  
You and your fellows: I'd have it come to ques-  
tion:

If he dislike it, let him to my sister,  
Whose mind and mine, I know, in that are one,  
Not to be overruled. Idle old man,  
That still would manage those authorities  
That he hath given away.

These perfidious instructions bore fruit immediately. Goneril's head servant was insolent to Lear; the impetuous king beat him, and was soon after confronted by his daughter, who, to his amazement, took him to task in cold and lofty terms for his disorderly conduct and that of his train. With regard to the latter, she told him plainly he must discharge one-half of them, or she should do it for him.

This cool insolence, coming so soon after the violent protestations, put Lear in a fury.

Darkness and devils!—

Saddle my horses; call my train together.  
Degenerate bastard! I'll not trouble thee—  
Yet have I left a daughter.

*Goneril.* You strike my people, and your dis-  
ordered rabble  
Make servants of their betters.

These two speeches alone may serve to show which was likely to prevail in this unnatural combat, the hot-headed, warm-hearted king, or his cold-blooded, iron daughter. Lear's rage broke into curses, but ended in tears that were like drops of blood from his wounded heart, and at last he turned away from that ungrateful serpent, and journeyed to the Court of Regan.

But a letter from Goneril reached that palace before the ex-king, and he actually found some difficulty in obtaining an audience of his own daughter.

At last she and her husband met him, but outside the house.

At sight of her his swelling breast overflowed, and he told her her sister was ungrateful, and had struck him to the heart. "Oh, Regan!" he sobbed.

Regan calmly begged him to be patient, and said he had misunderstood her sister: it was for his own good she had restrained the riots of his followers. She reminded him he was old, insinuated he was in his dotage, and needed the control of wiser people: and to conclude, she coolly advised him to return to her sister, and beg her pardon.

"What!" cried he: "when she has abated me of half my train, looked black upon me, and struck her serpent fangs into my heart!" He then, in his rage,

called down all manner of curses on his eldest daughter.

Says Regan, "Why, you will be cursing me next."

In the midst of this who should arrive but Goneril and her attendants, on a visit to Regan.

Regan received her instantly with a cordiality she had not shown to her father and benefactor.

Lear was amazed at that, after what he had said, and exclaimed. "Oh, Regan, will you take her by the hand?"

It was Goneril who replied to this, and with the most galling and contemptuous insolence:

Why not by the hand, sir? How have I offended? All's not offence that indiscretion finds  
And dotage terms so.

At this the poor old king prayed to Heaven for patience.

Regan paid no attention to that, but coldly stuck to her point. She advised him to comply with Goneril's terms, strike off half his knights, and conclude his month. After that he could come to her. At present his visits would not be convenient.

Lear refused, hotly.

"As you please," said Goneril, coldly.

Regan persisted, and said that, in fact, fifty followers were too many in another person's house. How could so many people, under two commands, hold amity?

Then Goneril put in her word. Why could he not be attended on by *their* servants?

"To be sure," said Regan. "Then, if they were disrespectful, we could control them. At all events," said she, "when you come to me, bring no more than twenty-five."

He asked her if that was her last word: she said it was. Then the poor old king said Goneril was better than she was. Yes, he would go back with Goneril, and dismiss half his retinue.

One would have thought these clever, heartless women had banded the poor old man to and fro enough. But Goneril had no mercy: this was her reply, when he consented to her own proposition:

*Goneril.* Hear me, my lord:  
What need you five-and-twenty, ten, or five,  
To follow in a house where twice so many  
Have a command to tend you?  
*Regan.* What need *one*?

So they trumped each other's cards, and coldly drove him wild.

He raged and stormed at them, unheeded. He wept with agony, unheeded. He left them both, and went forth into the stormy night a houseless king, a banished father.

Crushed vanity is hard to bear. Wounded affection is hard to bear. Under the double agony the poor old king lost his reason, and wandered about the kingdom like a beggar.

Meantime his despised curses began to work, for his wicked daughters prepared their own chastisement by their own crimes: and here the poet has well shown that the hearts cold to divine affection could be hot with illicit love as well as spurred by greed.

But now it was reported in France how the old king had been abused, and Queen Cordelia, indignant, invaded the kingdom with a French army. Her emissaries found the poor king in a miserable condition, living in rags, and sleeping in out-houses and stables. She had him laid, all unconscious, on a fair bed in her own tent, with music softly playing, and her own physician waiting on him. She herself nursed him with deep anxiety for his waking.

All was changed. She who in his hour of pride and prosperity had said she loved him only as every daughter ought to love her father, now overflowed with passionate tenderness. She took his gray head to her filial bosom, and bemoaned him. "Was this a face," said she, "to be opposed to the warring winds? On such a night, too! Why, I would have given shelter to my enemy's dog, though he had bitten me. And wast thou fain, poor father, to hovel thee with swine on musty straw?"

While she was thus lamenting over him, the sore-tried king awoke; but not his memory. He thought he had been dead, and told them they did wrong to take him

out of the grave where he rested from his sufferings. The happy change in his condition brought him no joy at first: it did but confuse and puzzle him. He looked at Cordelia, and saw she was a queen, and tried to kneel to her. But she would not let him, and kneeled to him instead, and begged him to hold his hand over her and give her a parent's blessing. Seeing so great a lady at his feet craving his blessing let some light into his distracted mind, and drew from the once fiery old man sweet piteous words that have made many an eye wet:

Pray do not mock me :  
I am a very foolish, fond old man,  
Fourscore and upward ; and to deal plainly,  
I fear I am not in my perfect mind.  
Methinks I should know you, and know this man ;  
Yet I am doubtful ; for I am mainly ignorant  
What place this is ; and all the skill I have  
Remembers not these garments : nor I know not  
Where I did lodge last night. Do not laugh at  
me ;  
For, as I am a man I think this lady  
To be my child Cordelia.  
*Cord.* And so I am, I am.

Then the poor soul seeing her weep, bade her not cry, and offered to drink poison if she chose ; for he said she had far more reason to hate him than her sisters had.

But she soon convinced him of her love, and from that time they never parted.

At this very time Goneril and Regan died by poison and suicide, and so paid the forfeit of their crimes.

But all this was on the eve of a battle between the French and English forces, and in that battle, deplorable to relate, Cordelia was slain, and Lear mustered strength to kill her assassin, and then the last chord of his sore-tried heart gave way, and he died by the side of his loved daughter, who had professed so little, yet had done so much, and died for him.

This is the heart of Shakespeare's story. There is an inferior hand visible in parts of it ; it is clogged with useless characters and superfluous atrocities, and the death of Cordelia is revolting, and a sacrifice of the narrative to stage policy. But all that pertains directly to King Lear is ex-

quisite, and so masterly that the tale has extinguished the legend. Historically incorrect, it is true in art, all but the sacrifice of Cordelia, which, coupled with the other deaths, turns the theater into a shambles, and, above all, disturbs the true motive of the tale. When the reader finds the sore-tried old man lying on a soft couch, tended by Queen Cordelia, and when at last he knows her, and they mingle their tears and their love, the reader sees this is the lightening before death, and the mad king has recovered his wits to be just to his one child, and then to fall asleep after life's fitful fever. Against such a tale, so told, no previous legend can fight. Under such a spell you can neither conceive nor believe that Lear recovered his kingdom, and caroused again at the head of his knights, and toasted his one child. Youth may recover any wound ; but old age and royal vanity crushed and trampled on, and paternal love struck to the heart by the serpent's tooth of filial ingratitude, what should they do but rage and die ?

Yet there is a legend, almost as old as "Lear," of a father whom his children treated as Goneril and Regan treated Lear ; but he suffered and survived, and his heart turned bitter instead of breaking.

Of this prose Lear the story is all over Europe, and, like most old stories, told vilely. To that, however, there happens to be one exception, and the readers of this collection shall have the benefit of it.

In a certain part of Ireland, a long time ago, lived a wealthy old farmer whose name was Brian Taafe. His three sons, Guillaum, Shamus and Garret, worked on the farm. The old man had a great affection for them all ; and finding himself grow unfit for work, he resolved to hand his farm over to them, and sit quiet by the fireside. But as that was not a thing to be done lightly, he thought he would just put them to their trial. He would take the measure of their intelligence, and then of their affection.

Proceeding in this order, he gave them

each a hundred pounds, and quietly watched to see what they did with it.

Well, Guillaum and Shamus put their hundred pounds out to interest, every penny; but when the old man questioned Garret where his hundred pounds was, the young man said, "I spent it, father."

"Spent it?" said the old man, aghast. "Is it the whole hundred pounds?"

"Sure I thought you told us we might lay it out as we pleased."

"Is that a *raison* ye'd waste the whole of it in a year, ye prodigal?" cried the old man: and he trembled at the idea of his substance falling into such hands.

Some months after this he applied the second test.

He convened his sons, and addressed them solemnly: "I'm an old man, my children; my hair is white on my head, and it's time I was giving over trade and making my sowl." The two elder overflowed sympathy. He then gave the dairy-farm and the Hill to Shamus, and the meadows to Guillaum. Thereupon these two vied with each other in expressions of love and gratitude. But Garret said never a word: and this, coupled with his behavior about the hundred pounds, so maddened the old man that he gave Garret's portion, namely, the home and the home-farm, to his elder brothers to hold in common. Garret he disinherited on the spot, and in due form. That is to say, he did not overlook him nor pass him by: but even as spiteful testatōrs used to leave the disinherited one a shilling, that he might not be able to say he had been inadvertently omitted, and it was all a mistake, old Brian Taafe solemnly presented young Garret Taafe with a hazel staff and a small bag. Poor Garret knew very well what that meant. He shouldered the bag, and went forth into the wide world with a sad heart, but a silent tongue. His dog, Lurcher, was for following him, but he drove him back with a stone.

On the strength of the new arrangement, Guillaum and Shamus married directly, and brought their wives home, for it was a large house, and room for all.

But the old farmer was not contented

to be quite a cipher, and he kept finding fault with this and that. The young men became more and more impatient of his interference, and their wives fanned the flame with female pertinacity. So that the house was divided, and a very home of discord.

This went on getting worse and worse, till at last, one winter afternoon, Shamus defied his father openly before all the rest, and said, "I'd like to know what would plaize ye. Maybe ye'd like to turn us all out as ye did Garret."

The old farmer replied, with sudden dignity, "If I did, I'd take no more than I gave."

"What good was your giving it?" said Guillaum: "we get no comfort of it while you are in the house."

"Do you talk that way to me, too?" said the father, deeply grieved. "If it was poor Garret I had, he wouldn't use me so."

"Much thanks the poor boy ever got from you," said one of the women, with venomous tongue: then the other woman, finding she could count on male support, suggested to her father-in-law to take his stick and pack and follow his beloved Garret. "Sure he'd find him begging about the country."

At the women's tongues the wounded parent turned to bay.

"I don't wonder at anything I hear *ye* say. Ye never yet heard of anything good that a woman would have a hand in—only mischief always. If ye ask who made such a road, or built a bridge, or wrote a great history, or did a great action, you'll never hear it's a woman done it; but if there is a jewel with swords and guns, or two boys cracking each other's crowns with shillalabs, or a didly secret let out, or a character ruined, or a man brought to the gallows, or mischief made between a father and his own flesh and blood, then I'll engage you'll hear a woman had some call to it. We needn't have recourse to history to know your doin's, 'tis undher our eyes; for 'twas the likes o' ye two burned Throy, and made the king o' Leinster rebel against Brian Boru."



These shafts of eloquence struck home; the women set up a screaming, and pulled their caps off their heads, which in that part was equivalent to gentlefolks drawing their swords.

“Oh, murther! murther! was it for this I married you, Guillaum Taafe?”

“Och, Shamus, will ye sit an’ hear me compared to the likes? Would I rebel against Brian Boru, Shamus, a’ra gal?”

“Don’t heed him, avourneen,” said Shamus; “he is an ould man.”

But she would not be pacified. “Oh, vo! vo! If ever I thought the likes ’ud be said of me, that I’d rebel against Brian Boru!”

As for the other, she prepared to leave the house. “Guillaum,” said she, “I’ll never stay a day undher your roof with them as would say I’d burn Throy. Does he forget he ever had a mother himself? Ah! ’tis a bad apple, that is what it is, that despises the tree it sprung from.”

All this heated Shamus, so that he told the women sternly to sit down, for the offender should go; and upon that, to show they were of one mind, Guillaum deliberately opened the door. Lurcher ran out, and the wind and the rain rushed in. It was a stormy night.

Then the old man took fright, and humbled himself:

“Ah! Shamus, Guillaum, achree, let ye have it as ye will; I’m sorry for what I said, a’ra gal. Don’t turn me out on the high-road in my ould days. Guillaum, and I’ll engage I’ll niver open my mouth against one o’ ye the longest day I live. Ah! Shamus, it isn’t long I have to stay wid ye, anyway. Yer own hair will be as white as mine yet, please God! and ye’ll be thanking Him ye showed respect to mine this night.”

But they were all young and of one mind, and they turned him out and barred the door.

He crept away, shivering in the wind and rain, till he got on the lee side of a stone wall, and there he stopped and asked himself whether he could live through the night.

Presently something cold and smooth poked against his hand: it was a large

dog that had followed him unobserved till he stopped. By a white mark on his breast he saw it was Lurcher, Garret’s dog.

“Ah!” said the poor old wanderer, “you are not so wise a dog as I thought, to follow me.” When he spoke to the dog, the dog fondled him. Then he burst out sobbing and crying, “Ah, Lurcher! Garret was not wise either; but he would niver have turned me to the door this bitter night, nor even thee.” And so he moaned and lamented. But Lurcher pulled his coat, and by his movements conveyed to him that he should not stay there all night; so then he crept on and knocked at more than one door, but did not obtain admittance, it was so tempestuous. At last he lay down exhausted on some straw in the corner of an out-house; but Lurcher lay close to him, and it is probable the warmth of the dog saved his life that night.

Next day the wind and rain abated; but this aged man had other ills to fight against beside winter and rough weather. The sense of his sons’ ingratitude and his own folly drove him almost mad. Sometimes he would curse and thirst for vengeance, sometimes he would shed tears that seemed to scald his withered cheeks. He got into another county and begged from door to door. As for Lurcher, he did not beg; he used to disappear, often for an hour at a time, but always returned, and often with a rabbit or even a hare in his mouth. Sometimes the friends exchanged them for a gallon of meal, sometimes they roasted them in the woods; Lurcher was a civilized dog, and did not like them raw.

Wandering hither and thither, Brian Taafe came at last within a few miles of his own house; but he soon had cause to wish him himself further off it; for here he met his first downright rebuff, and, cruel to say, he owed it to his hard-hearted sons. One recognized him as the father of that rogue Guillaum Taafe, who had cheated him in the sale of a horse, and another as the father of that thief Shamus, who had sold him a diseased cow that died the week after. So, for the

first time since he was driven out of his home, he passed the night supperless, for houses did not lie close together in that part.

Cold, hungry, houseless, and distracted with grief at what he had been and now was, nature gave way at last, and, unable to outlast the weary, bitter night, he lost his senses just before dawn, and lay motionless on the hard road.

The chances were he must die : but just at Death's door his luck turned.

Lurcher put his feet over him and his chin upon his breast to guard him, as he had often guarded Garret's coat, and that kept a little warmth in his heart ; and at the very dawn of day the door of a farmhouse opened, and the master came out upon his business, and saw something unusual lying in the road a good way off. So he went toward it, and found Brian Taafe in that condition. This farmer was very well to do, but he had known trouble, and it had made him charitable. He soon hallooed to his men, and had the old man taken in ; he called his wife too, and bade her observe that it was a reverend face, though he was all in tatters. They laid him between hot blankets, and, when he came to a bit, gave him warm drink, and at last a good meal. He recovered his spirits, and thanked them with a certain dignity.

When he was quite comfortable, and not before, they asked him his name.

" Ah ! don't ask me that," said he, piteously. " It's a bad name I have, and it used to be a good one, too. Don't ask me, or maybe you'll put me out, as the others did, for the fault of my two sons. It is hard to be turned from my own door, let alone from other honest men's doors, through the vilyins," said he.

So the farmer was kindly, and said, " Never mind your name, fill your belly."

But by and by the man went out into the yard, and then the wife could not restrain her curiosity. " Why, good man," said she, " sure you are too decent a man to be ashamed of your name."

" I'm too decent not to be ashamed of it," said Brian. " But you are right ; an honest man should tell his name though

they druv him out of heaven for it. I am Brian Taafe—that was."

" Not Brian Taafe the strong farmer at Corrans ?"

" Ay, madam ; I'm all that's left of him."

" Have you a son called Garret ?"

" I had, then."

The woman spoke no more to him, but ran screaming to the door : " Here, Tom ! Tom ! come here !" cried she ; " Tom ! Tom !" As Lurcher, a very sympathetic dog, flew to the door and yelled and barked fiercely in support of this invocation, the hullaboo soon brought the farmer running in.

" Oh, Tom, asthore," cried she, " it's Mr. Taafe, the father of Garret Taafe himself."

" Oh, Lord !" cried the farmer, in equal agitation, and stared at him. " My blessing on the day you ever set foot within these doors !" Then he ran to the door and hallooed : " Hy, Murphy ! Ellen ! come here, ye divils !"

Lurcher supported the call with great energy. In ran a fine little boy and girl. " Look at this man with all the eyes in your body !" said he. " This is Mистер Taafe, father of Garret Taafe that saved us all from ruin and destruction entirely." He then turned to Mr. Taafe, and told him, a little more calmly, " that years ago every haporth they had was going to be carted for the rent ; but Garret Taafe came by, put his hand in his pocket, took out thirty pounds, and cleared them in a moment. It was a way he had ; we were not the only ones he saved that way, so long as he had it to give."

The old man did not hear these last words ; his eyes were opened, the iron entered his soul, and he overflowed with grief and penitence.

" Och, murther ! murther !" he cried. " My poor boy ! what had I to do at all to go and turn you adrift, as I done, for no raison in life !" Then, with a piteous, apologetic wail, " I tuck the wrong for the right ; that's the way the world is blinded. Och, Garret, Garret, what will I do with the thoughts of it ? An' those two vilyians that I gave it all to,

and they turned me out in my ould days, as I done you. No mather," and he fell into a sobbing and a trembling that nearly killed him for the second time.

But the true friends of his son Garret nursed him through that, and comforted him; so he recovered. But, as he did live, he outlived those tender feelings whose mortal wounds had so nearly killed him. When he recovered this last blow he brooded and brooded, but never shed another tear.

One day, seeing him pretty well restored, as he thought, the good farmer came to him with a fat bag of gold. "Sir," said he, "soon after your son helped us, luck set in our way. Mary she had a legacy; we had a wonderful crop of flax, and with that plant 'tis either kill or cure; and then I found lead in the hill, and they pay a dale o' money for leave to mine there. I'm almost ashamed to take it. I tell you all this to show you I can afford to pay you back that thirty pounds, and if you please I'll count it out."

"No!" said Mr. Taafe, "I'll not take Garret's money; but if you will do me a favor, lend me the whole bag for a week, for at the sight of it I see a way to—Whisper."

Then, with bated breath and in strict confidence, he hinted to the farmer a scheme of vengeance. The farmer was not even to tell it to his wife; "for," said old Brian, "the very birds carry these things about; and sure it is knowing devils I have to do with, especially the women."

Next day the farmer lent him a good suit and drove him to a quiet corner scarce a hundred yards from his old abode. The old farmer got down and left him. Lurcher walked at his master's heels. It was noon and the sun shining bright.

The wife of Shamus Taafe came out to hang up her man's shirt to dry, when, lo! scarce thirty yards from her, she saw an old man seated counting out gold on a broad stone at his feet. At first she thought it must be one of the good people—or fairies—or else she must be dreaming; but no! cocking her head on one side, she saw for certain the profile of Brian

Taafe, and he was counting a mass of gold. She ran in and screamed her news rather than spoke it.

"Nonsense, woman!" said Shamus, roughly; "it is not in nature."

"Then go and see for yourself, man!" said she.

Shamus was not the only one to take this advice. They all stole out on tip-toe, and made a sort of semicircle of curiosity. It was no dream; there were piles and piles of gold glowing in the sun, and old Brian with a horse-pistol across his knees; and even Lurcher seemed to have his eyes steadily fixed on the glittering booty.

When they had thoroughly drunk in this most unexpected scene, they began to talk in agitated whispers; but even in talking they never looked at each other—their eyes were glued on the gold.

Said Guillaum: "Ye did very wrong, Shamus, to turn out the old father as you done; see now what we all lost by it. That's a part of the money he laid by, and we'll never see a penny of it."

The wives whispered that was a foolish thing to say: "Leave it to us," said they, "and we'll have it all one day."

This being agreed to, the women stole toward the old man, one on each side. Lurcher rose and snarled, and old Brian hurried his gold into his ample pockets, and stood on the defensive.

"Oh, father! and is it you come back? Oh, the Lord be praised! Oh, the weary day since you left us, and all our good luck wid ye!"

Brian received this and similar speeches with fury and reproaches. Then they humbled themselves and wept, cursed their ill-governed tongues, and bewailed the men's folly in listening to them. They flattered him and cajoled him, and ordered their husbands to come forward and ask the old man's pardon, and not let him ever leave them again. The supple sons were all penitence and affection directly. Brian at last consented to stay, but stipulated for a certain chamber with a key to it. "For," said he, "I have got my strong-box to take care of, as well as myself."

They pricked up their ears directly at mention of the strong-box, and asked where it was.

"Oh! it is not far, but I can't carry it. Give me two boys to fetch it."

"Oh! Guillaum and Shamus would carry it or anything to oblige a long-lost father."

So they went with him to the farmer's cart, and brought in the box, which was pretty large, and, above all, very full and heavy.

He was once more king of his own house, and flattered and petted as he had never been since he gave away his estate. To be sure, he fed this by mysterious hints that he had other lands besides those in that part of the country, and that, indeed, the full extent of his possessions would never be known until his will was read; which will was safely locked away in his strong-box—*with other things*.

And so he passed a pleasant time, un-bittered only by regrets, and very poignant they were, that he could hear nothing of his son Garret. Lurcher also was taken great care of, and became old and lazy.

But shocks that do not kill undermine. Before he reached threescore and ten, Brian Taafe's night-work and troubles told upon him, and he drew near his end. He was quite conscious of it, and announced his own departure, but not in a regretful way. He had become quite a philosopher; and indeed there was a sort of chuckle about the old fellow in speaking of his own death, which his daughters-in-law secretly denounced as unchristian, and, what was worse, unchancy.

Whenever he did mention the expected event, he was sure to say, "And mind, boys, my will is in that chest."

"Don't spake of it, father," was the reply.

When he was dying, he called for both his sons, and said, in a feeble voice, "I was a strong farmer, and come of honest folk. Ye'll give me a good wakin', boys, an' a gran' funeral."

They promised this very heartily.

"And after the funeral ye'll all come here together, and open the will, the children an' all. All but Garret. I've

left him nothing, poor boy, for sure he's not in this world. I'll maybe see him where I'm goin'."

So there was a grand wake, and the virtues of the deceased and his professional importance were duly howled by an old lady who excelled in this lugubrious art. Then the funeral was hurried on, because they were in a hurry to open the chest.

The funeral was joined in the churchyard by a stranger, who muffled his face, and shed the only tears that fell upon that grave. After the funeral he stayed behind all the rest and mourned, but he joined the family at the feast which followed, and behold! it was Garret, come a day too late. He was welcomed with exuberant affection, not being down in the will; but they did not ask him to sleep there. They wanted to be alone, and read the will. He begged for some reminiscence of his father, and they gave him Lurcher. So he put Lurcher into his gig, and drove away to that good farmer, sure of his welcome, and praying God he might find him alive. Perhaps his brothers would not have let him go so easily had they known he had made a large fortune in America, and was going to buy quite a slice of the county.

On the way he kept talking to Lurcher, and reminding him of certain sports they had enjoyed together, and feats of poaching they had performed. Poor old Lurcher kept pricking his ears all the time, and nudged his memory as to the tones of the voice that was addressing him. Garret reached the farm, and was received first with stares, then with cries of joy, and was dragged into the house, so to speak. After the first ardor of welcome, he told them he had arrived only just in time to bury his father. "And this old dog," said he, "is all that's left me of him. He was mine first, but when I left, he took to father. He was always a wise dog."

"We know him," said the wife: "he has been here before." And she was going to blurt it all out, but her man said, "Another time," and gave her a look as black as thunder, which wasn't his way at all, but he explained to her afterward.





THERE WERE FILES AND FILES OF GOLD GLOWING IN THE SUN.

—The Two Learys

"They are friends, those three, over the old man's grave. We should think twice before we stir ill blood betune 'em." So when he stopped her, she turned it off cleverly enough, and said the dear old dog must have his supper. Supper they gave him, and a new sheepskin to lie on by the great fire. So there he lay, and seemed to doze.

The best bed in the house was laid for Garret, and when he got up to go to it, didn't that wise old dog get up too with an effort, and move stiffly toward Garret, and lick his hand; then he lay down again all of a piece, as who should say, "I'm very tired of it all." "He knows me now at last," said Garret, joyfully. "That is his way of saying good-night. I suppose. He was always a wonderful wise dog."

In the morning they found Lurcher dead and stiff on the sheepskin. It was a long good-night he had bid so quietly to the friend of his youth.

Garret shed tears over him, and said, "If I had only known what he meant, I'd have sat up with him. But I never could see far. He was a deal wiser for a dog than I shall ever be for a man."

Meantime the family party assembled in the bedroom of the deceased. Every trace of feigned regret had left their faces, and all their eyes sparkled with joy and curiosity. They went to open the chest. It was locked. They hunted for the key; first quietly, then fussily. The women found it at last, sewed up in the bed; they cut it out and opened the chest.

The first thing they found was a lot of stones. They glared at them, and the color left their faces. What devilry was this?

Presently they found writing on one

stone "Look below." Then there was a reaction and a loud laugh. "The old fox was afraid the money and parchments would fly away, so he kept them down."

They plunged their hands in, and soon cleared out a barrowful of stones, till they came to a kind of paving-stone. They lifted this carefully out, and discovered a good new rope with a running noose, and—the will.

It was headed in large letters finely engrossed:

"THE LAST WILL AND TESTAMENT OF  
BRIAN TAAFE."

But the body of the instrument was in the scrawl of the testator.

"I bequeath all the stones in this box to the hearts that could turn their father and benefactor out on the highway that stormy night.

"I bequeath this rope for any father to hang himself with who is fool enough to give his property to his children before he dies."

This is a prosaic story compared with the "Lear" of Shakespeare, but it is well told by Gerald Griffin, who was a man of genius. Of course I claim little merit but that of setting the jewels. Were I to tell you that is an art, I suppose you would not believe it.

I have put the two stories together, not without a hope that the juxtaposition may set a few intelligent people thinking. It is very interesting, curious, and instructive to observe how differently the same events operate upon men who differ in character. And perhaps "The Two Lears" may encourage that vein of observation: its field is boundless.

## DOUBLES.

WE live in an age of bad English. There is a perverse preference for weak foreign to strong British phrases, and a run upon abstract terms, roundabout phrases, polysyllables, and half-scientific jargon on simple matters, like velvet trimming on a cotton print.

Addison could be content to write, "My being his nearest neighbor gave me some knowledge of his habits:" but our contemporaries must say, "The fact of my being his nearest neighbor gave me," etc. Now observe: in the first place, it is not "the fact" but "the circumstance;" and in the next, both "fact" and "circumstance" are superfluous and barbarous. Probably the schoolboys who invented this circumlocution had been told by some village schoolmaster that a verb can only be governed by a noun substantive. Pure illusion! it can be governed by a sentence with no nominative case in it, and the Addisonian form is good, elegant, classical English. All the Roman authors are full of examples: and, unless my memory fails me, the very first Latin line cited as good syntax in the old Eton grammar is:

Ingenuas didicisse fideliter artes  
Emollit mores, nec sinit esse feros.

Try your nineteenth century grammar on this—it is a fair test: "Factum discendi ingenuas artes emollit mores." Why is this so glaringly ridiculous in Latin, yet current in English? Simply because bad English is so common, and bad Latin never was.

"To die is landing on some distant shore."

This line of Garth's turned into nineteenth-century English would be, "The fact of dying is identical with landing on some distant shore."

If I could scourge that imbecile phrase, "the fact of," out of England, I should be no slight benefactor to our mother-tongue. I may return one day to the other vices of English I have indicated above. At present I will simply remark that what I call "Doubles," the writers of the new English call "CASES OF MISTAKEN IDENTITY." Phœbus! what a mouthful! This is a happy combination of the current vices.

1. Here is a term dragged out of philosophy to do vulgar work.

2. It is wedded to an adjective, which can not coexist with it. You may mistake a man for A, or you may identify him with A. But you cannot do both; for if you mistake, you do not identify, and if you identify, you do not mistake.

3. Here are ten syllables set to do the work of two. Now in every other art and science economy of time and space is the great object: only the English of the day aims at *parvum in multo*. But, thank Heaven, good old "Double" is not dead yet, though poisoned with exoties and smothered under polysyllables.

There are always many persons on the great globe who seem like other persons in feature when the two are not confronted: but, setting aside twins, it is rare that out of the world's vast population any two cross each other's path so like one another as to bear comparison. Where comparison is impossible, the chances are that the word "Double" is applied without reason. Sham Doubles are prodigiously common. My note-books are full of them. Take two examples out of many. Two women examine a corpse carefully, and each claims it as her husband. It is interred, and by and by both husbands walk into their wives' houses alive and—need I say—impenitent. A wife has a man summoned for deserting



her. Another woman identifies him in the police court as her truant husband. This looks ugly, and the man is detained. Two more wives come in and swear to him. A pleasing excitement pervades the district. Our lady novelists had kept to the trite path of bigamy; but truth, more fertile, was going to indulge us with a quadrigamy. Alas! the quadrigamist brought indisputable evidence that he had been a public officer in India at the date of all the four marriages, and had never known one of these four injured females, with the infallible eyes *cant* assigns to that sex.

Sometimes the sham Double passes current by beguiling the ears in a matter where the eyes, if left to themselves, would not have been deceived. The most remarkable cases on record of this are the false Martin Guerre and the sham Tichborne. A short comparison of these two cases may serve to clear the way to my story.

Fifteenth century—Martin Guerre, a small peasant proprietor in the south of France, and a newly married man, left his wife and went soldiering, and never sent her a line in eight years. Then came a man who, like Martin, had a mole on his cheek-bone and similar features, only he had a long beard and mustache. He said things to the wife and sister of Martin Guerre which no stranger could have said, and, indeed, reminded the wife of some remark she had made to him in the privacy of their wedding night. He took his place as her husband, and she had children by him. But her uncle had always doubted, and when the children came to divert the inheritance from his own offspring, he took action and accused the new-comer of fraud. It came to trial; there were a prodigious number of respectable witnesses on either side; but the accused was about to carry it, when stump—stump—stump—came an ominous wooden leg into the court, and there stood the real Martin Guerre, crippled in the wars. The supposed likeness disappeared, all but the mole, and the truth was revealed. The two Martins had been soldiers, and drunk together in Flanders,

and Martin had told his knavish friend a number of little things. With these the impostor had come and beguiled the ears, and so prejudiced the eyes. French law was always severe. They hanged him in front of the real man's door.

Orton's case had the same feature. His witnesses saw by the ear. He began by pumping a woman who wanted to be deceived, and from her and one or two more he obtained information, with which he dealt adroitly, and so made the long ears of weak people prejudice their eyes. As for his supposed likeness to Tichborne, that went not on clean observation, but on wild calculation. "If Martin Guerre, whom you knew beardless, had grown a long beard, don't you think he would be like this?"

"Yes, I do; for there's his mole, and he knew things none but Martin Guerre could."

"If Roger Tichborne, whom you knew as thin as a lath, had become as fat as a porpoise, don't you think he would be like this man?"

"Yes, I do; for his eyes twitch like Roger's, and he knows some things Roger knew."

Eleven independent coincidences prove the claimant to be Arthur Orton; and three such coincidences have never failed to hang a man accused of murder. But that does not affect the question as to whether he was like Tichborne. There is, however, no reason whatever to believe that he was a bit like him. In the first place, it is not in the power of any man to divine how a very lean man would look were he to turn very fat in the face; and, in the next place, the fat was granted contrary to experience: for it is only a plump young man who gets fat at thirty; a lean man at twenty-one is never a porpoise till turned forty. To conclude, this is no case of Doubles, but the shallowest imposture recorded in all history; and the fools who took a fat, living snob, with a will of iron, for a lean, dead aristocrat, with a will of wax, have only to thank their long ears for it; no downright delusive appearance ever met their eyes.

A much nearer approach to a Double occurred almost under my eyes.

A certain laughter-loving dame, the delight of all who knew her, vanished suddenly from her father's house, where she was visiting. Maternal tenderness took the alarm, emissaries searched the town north, south, east and west, and a young lady was found drowned, and immediately recognized as my sprightly friend. Her father came and recognized her too. In his anguish he asked leave to pray with her alone; and it was only in the act of prayer that his eye fell upon some small thing that caused a doubt; but examining her hair and forehead more narrowly, he found the drowned girl was not his child.

As for her, poor girl, she was young, and had dashed off to Brighton, in very good company, and, like the rest of her prodigious sex, had grudged a shilling for a telegram, though she would have given all she had in the world rather than cause her parents so serious an alarm.

Even in this case calculation enters: the drowned girl, when alive, may not have looked so like my laughter-loving friend. Still, we must allow them Doubles, or very near it.

Having thus narrowed the subject, I will now give the reader the most curious case of Doubles my reading—though somewhat rich in such matters—furnishes.

The great Molière married Armande Bejart, a sprightly actress of his company. She was a fascinating coquette, and gave him many a sore heart. But the public profits by a poet's torments; would him, he bleeds, not ephemeral blood, but immortal ichor—thoughts that breathe, and words that burn, and characters that are types more enduring than brass. The great master has given us, in a famous dialogue, the defects and charms of the woman he had the misfortune to love. This passage in which a disinterested speaker runs her down and a lover defends her, is charming; and the interlocutors are really the great observer's judgment and his heart. The contest

ends, as might be expected, in the victory of the heart.

Covielle, alias Molière's judgment: "But you must own she is the most capricious creature upon earth."

Cléonté, alias Molière's heart: "Oui, elle est capricieuse, j'en demeure d'accord; mais tout sied bien aux belles; on souffre tout des belles."—*Le Bourgeois Gentilhomme*. Act III. Scene IX.

But Armande Bejart entered more deeply into Molière's mind, and but for her the immortal Céli-mène—a character it will take the world two hundred years more to estimate at its full value—would never have seen the light. Céli-mène is a born coquette, but with a world of good sense and keen wit, and not a bad heart, but an untruthful—a pernicious woman, not a bad one. She has an estimable lover, and she esteems him; but she cannot do without two butterfly admirers, whom she fascinates and deceives. They detect her, and expose her insolently. She treats them with calm contempt. Only to the worthy man she has slighted she hangs her head with gentle and even pathetic penitence. She offers to marry him; but when he makes a condition that would render infidelity impossible, her courage fails, and she declines, yet not vulgarly. This true woman, with all her suppleness, ingenuity, and marvelous powers of fence, whether she has to parry the just remonstrances of her worthy lover, or soothe the vanity of her butterfly dupes, or pass a polished rapier through the body of a female friend who comes to her with hypocrisy and envenomed blandishments, is Armande Bejart. That is one reason why I give a niche in my collection to a strange adventure that befell her after the great heart she so played with had ceased to beat, and the great head that created Céli-mène had ceased to ache. The widow Molière, after her husband's death, carried on her gallantries with greater freedom, but in an independent spirit, for she remained on the stage, a public favorite; and her lovers, though not restricted as to number, must please her eye. She does not appear to have been accessible to mere ignoble in-

terests. Monsieur Lescot, a person of some importance, President of the Parliament of Grenoble, saw her repeatedly on the stage, and was deeply smitten with her. He had heard it whispered that she was not quite a vestal, and he resolved to gratify his fancy if he could. In those days the stage at night was a promenade open to any gentleman of fashion; but President Lescot did not care to push in among the crowd of beaux and actors, so he consulted a lady who had been useful to many distressed gentlemen in similar cases. This Madame Ledoux had a very large acquaintance with persons of both sexes; and such was her benevolence, that she would take some pains, and even exert some ingenuity, to sweep obstacles out of the path of love and bring agreeable people together. She undertook to sound Mademoiselle Molière, as the gay widow was called, and, if possible, to obtain Monsieur Lescot an interview.

After some days she told Lescot that the lady would go so far as to pay her a visit at a certain time, and he could take this opportunity of dropping in and paying his addresses.

He came, and found a young lady whose quiet appearance rather surprised him. La Molière on the stage was celebrated for the magnificence of her costumes; but here she was dressed with singular modesty. He had a delightful conversation with her, and one that rather surprised him. She was bitter against the theater, its annoyances and mortifications, and confessed she felt not altogether unwilling to make a respectable acquaintance who had nothing to do with it.

In the next interview Lescot was urgent and the lady coy; nevertheless, she held out hopes, provided he would submit to certain positive conditions. Lescot agreed, and expected that a settlement of some kind would be required.

Nothing of the sort. What she demanded, and upon his word of honor, was that he would never come after her to the theater, nor, indeed, speak to her in public, but only at the house of their mutual friend, Madame Ledoux. The condition was curious but not sordid.

President Lescot accepted it, and very tender relations ensued. Lescot was in paradise, and Madame Ledoux took advantage of that to bleed him very freely; but his innamorata herself showed no such spirit. She threw out no hints of the kind, and the most valuable present she accepted from him was a gold necklace he bought for her on the Quai des Orfèvres. She assured him, too, that the intrigues ascribed to her were utterly false, and that what most attracted her in him was his being in every way unlike her theatrical comrades—a man of position and a friend apart, with whom she could forget the turmoil of her daily existence and the stale compliments of the coxcombs who throng the theater.

At this time the work of Thomas Corneille, nephew of the great dramatist, had a vogue which has now entirely deserted them. His "Circe" was produced, and Mademoiselle Molière played the leading part and astonished the town by the splendor and extravagance of her dresses. Lescot saw her from his box and admired her, and applauded her furiously, and with raptures of exultation, to think that this brilliant creature belonged to him in secret, and came to him dressed like a nun. But this new *éclat* set tongues talking, and Lescot listened and inquired. He learned on good authority that La Molière had two lovers—one a man of fortune, M. Du Boulay, and another an actor, called Guérin, whose affections she had stolen from an actress of the same company. Item—that Du Boulay had offered her marriage, but finding her incapable of fidelity, had retired, and at present she was on discreditable terms with the actor in question.

Lescot, who was now tenderly attached to his fascinating visitor, put her on her defense, addressed the bitterest reproaches to her, and lamented his own misfortune in having listened to her perfidious tongue, and bestowed a constant heart upon a double-faced coquette. She seemed surprised and alarmed; but recovering herself, used all her address to calm him. She shed many tears, and de-

clared she loved no one but him, and had kept him out of the theater for this very reason—that it was, and always had been, a temple of lies and odious calumnies. Lescot was half appeased, but his jealousy being excited, demanded more frequent interviews. She consented readily, made a solemn appointment for next day, and took good care not to come.

This breach of faith revived all Lescot's jealousy, and after waiting for her, and raging and storming for two hours, he could bear his jealous doubts and fears no longer, but broke his word and went straight to the theater. As any gentleman could sit on the stage during the performance, President Lescot claimed that right, and sat down upon a stool during the performance of "Circe." In this situation, being only one of many gentlemen there, and under the public eye, he managed to restrain himself, though greatly agitated, and at first contented himself with watching to see her start at the sight of him. She did not seem to notice him, however; to be sure, she was warm in her part. At last it so happened that she walked past him with that grand reposeful slowness which is, and always was, one of a graceful actress's most majestic charms. He seized that opportunity. "You are more beautiful than ever," he said, quite audibly; "and if I was not in love with you already, I should be now."

Whether La Molière was warm in her part and did not hear, or was used to these asides, she paid no attention whatever.

That piqued the distinguished member of Parliament, and he sat sullen till the play ended. Then he was on the alert, and followed La Molière so sharply that he entered her dressing-room at her heels. Her maid requested him to leave. He stood firm, and requested the maid to retire, as he had something particular to say to mademoiselle. Mademoiselle wanted to remove the glorious but heavy trappings of tragedy, so she said, rather sharply, "Say it, then, sir.

I do not think there can be any secrets between you and me."

"Very well, madame," said Lescot, bitterly; "then what I have to say is that your conduct is unjustifiable."

"What cause of displeasure have I given you?"

"You made an appointment with me; I keep it, you break it. I come here, disheartened and unhappy, to learn the reason, and you receive me like a criminal."

"The man is mad," said La Molière, and eyed him with a look of haughty disdain that would have crushed him had he been less sure right was on his side. As it was, though it staggered him, it provoked him more. He confronted her with equal hauteur, and cried out, "You had better say you do not know me."

Thus challenged, and being aware she knew a great many gentlemen, she looked at him hard and full, not to make a mistake, then she said, "I don't even know your name."

Lescot put his hand to his heart, and was wounded to the quick. "What!" he cried, "after all that has passed between us! Why, you must be the basest of God's creatures to use me so!"

"Ah!" cried La Molière. "Jeannette, call some people to turn this man out of the place."

"By all means," cried the other. "Call all Paris to hear me give this woman her true character before I leave the place."

"Ruffian! you shall smart for this insolence," said La Molière, grinding her white teeth.

By this time two or three actors and a dozen actresses had come running and half dressed. The disputants being French, both spoke at once, and at the top of their voices; La Molière declaring this ruffian a perfect stranger to her, who had burst into her dressing-room, and outraged her with the grossest calumnies, the very meaning of which was an enigma to her, and Lescot relating all the particulars of his secret intrigue with her. Detail convinces, and La Molière had the mortification to see by the snig-

gering of the actresses, who knew her real character, that they believed the gentleman and not her.

"Why, look!" cried he, suddenly; "the ungrateful creature has a necklace on I gave her. I bought it for her on the *Quai des Orfèvres*."

This was too much. *La Molière*, red as fury, and her eyes darting flame, sprang at him with her right hand lifted to give him such a box on the ear as she had never yet administered on the stage; but he had the address to seize her wrist with the left hand, and with the right he tore the necklace off her neck and dashed it to the ground.

Then *La Molière* called the guard; and as personal violence is always severely treated in France, the President of the Parliament of Grenoble cooled his heels in prison that night.

Next morning the President *Lescot* was released on bail, after a short hearing, in which he declared loudly that he had a perfect right to expose a courtesan, whose lover he was, and who had the effrontery to say publicly she did not know him. "That right," said he, "I am prepared to maintain in any tribunal."

He held the same language in Society; and, on the whole, the world took his part in the matter.

Supposing the allegation to be false, *La Molière* had her proper remedy. She had only to proceed against *Lescot* for violence and slander.

She hesitated, and this confirmed the public opinion. It spread to the theatrical audiences, and the favorite actress began to be received with sneers and chuckles, or ominous silence.

She was alarmed, and went to an old actress called *Châteauneuf*, who had a long head and had often advised her in matters of intrigue.

*La Châteauneuf* said the case was plain. She must take proceedings.

"Nay, but I dare not," said *La Molière*. "They will search into my whole life."

The older fox laughed, but said, "Never mind that, child. You are innocent, for once; that is an accident you must put to profit, and so throw a doubt on your

real indiscretions. Commence proceedings at once. You are ruined if you submit."

The young fox listened to the old fox with the respect due to our seniors, and laid a criminal information against *Lescot*.

He stood firm as a rock, persisted in his statements, and brought a very ugly witness, the goldsmith from the *Quai des Orfèvres*. This trader swore to *La Molière's* necklace, as one he had sold, and to her as the lady who was with *Lescot* when he sold it.

This evidence was fatal to the accuser, both in the court and with the public. But when *Lescot* went after *Madame Ledoux*, to complete his defense, she was not to be found. He let this out, and that he had relied on her. The accuser's agent then smelled a rat, and set the police on to find *Ledoux*.

Meantime *La Molière* was the butt of Paris.

But the police succeeded in finding *Ledoux*, and her examination put a new face on the matter. *Ledoux* confessed that *Monsieur Lescot*, being madly enamored of *Mademoiselle Molière*, had asked her assistance; that she, not caring to meddle with an intrigue of that kind, had introduced to him a young lady who perfectly resembled *Mademoiselle Molière*. This young lady, she said, had for maiden name *Marie Simonnet*, but called herself the widow of a *Monsieur Harvè de la Tourelle*, a gentleman of Brittany.

On this hint, the accuser searched for the young lady in question. They soon found traces of her, and that she was called by her friends "*La Tourelle*."

*La Tourelle* had disappeared. "And never will appear, being a phantom," said *Lescot*. "Was ever so audacious a figment? as if one woman could have the face, the figure, the manners, the cough, and the necklace of another."

Well, the officers of justice caught *La Tourelle* in the suburbs of Paris, and were astonished at the resemblance.

She was confronted with *Mademoiselle Molière*, in the judge's room, in presence of *Ledoux* and the President *Lescot*.

The ladies faced each other like two young stags ready to butt each other. The injured Molière folded her arms grandly, and cocked her nose high, and would fain have looked the other down as a criminal. But the other jade saw she was the younger of the two, and wore a demure air of defiant complacency.

But, setting aside fleeting expression, they were literally one in stature, form, and feature. If each had looked into a mirror, she would have seen the hussy that now faced her.

Amazement painted itself on every face; most of all on Lescot's.

Ledoux persisted in her confession; and both she and La Tourelle were imprisoned, to await the trial.

Lescot now found himself in the wrong box; and it became very important to him that the trial should never come off. With this view he exerted all his influence to bail La Tourelle, meaning, no doubt, to forfeit his recognizances, and send her out of the country. But the judges would accept no bail, and the day of trial was fixed.

Then Lescot bribed the jailer; and he showed La Tourelle how to make her escape in a very ingenious way, that had never occurred to the lady, whose genius, like that of many other ladies, was mainly confined to matters of love and intrigue.

Lescot sent her away into the depths of Dauphiné, and her absence suspended that trial.

But La Molière's blood was up, and she appealed personally to men in power, and used all her charms and all her arts.

The result was a new process, under which not one of those who had offended her escaped.

The President Lescot was condemned to stand at the bar, and read a paper in presence of La Molière and four witnesses, to be by her chosen.

"I, François Lescot, admit and declare that I, by recklessness and mistake, have used violence against Mademoiselle Molière, here present, and slandered her

fully, but without malice of heart, having taken her for another person."

He was also fined two hundred francs.

By the same judgment the women Ledoux and La Tourelle had to pay a fine of twenty francs each to the king, one hundred francs each to La Molière, and to be whipped, naked, before the gate of the Châtelet, and also before the house of Mademoiselle Molière.

Lescot made his *amende honorable*, and paid his fine. Ledoux paid her fine, and was whipped before the Châtelet and before La Molière's windows; but La Tourelle was more fortunate. Nature has her freaks; she profited by one of them. Lescot, who had now compared in many ways the hussy he adored with the jade who had personated her, was as much enamored as ever, if not more; but, by Jupiter, it was not the actress, but her double, he was now in love with. He joined her in Dauphiné, and rewarded her with a life-long attachment, which she is believed to have shared.

La Molière, as her foxy adviser had prophesied, was wonderfully re-established in character. Men said, "And, no doubt, she was always calumniated." The judgment of the Châtelet operated as a certificate of her good morals.

The goldsmith's evidence is accounted for thus. There were no jewels to the necklace. A number of gold necklaces had been made on one pattern. The goldsmith swore to La Molière's, because he saw the lady, as he thought.

While the affair was yet warm the tragi-comedy of Thomas Corneille, called "L'Inconnu," was produced. La Molière was the countess, and in the play a gypsy looked at her hand, and spoke these lines:

"Cette ligne, qui croisse avec celle de vie,

Marque pou rvotre gloire un moment tre-  
fatal;

Sur des traits ressemblants on en parlera mal,  
Et vous aurez une copie.

N'en prenez pas trop de chagrin :

Si votre gaillarde figure

Contre vous, quelque temps, cause un facheux  
murmure,

Un tour de ville y mettra fin.

Et vous rirez d l'aventure."

The public, always quick to fit fiction to reality, seized on these verses at once and applied them to the recent event, and showed their sympathy with the actress by storms of applause.

The favorite, her popularity embellished by a *coup de maître*, now married her actor—and continued her galandries.

But Célimène, at bottom, lacked neither

judgment nor heart. Hence I am able to conclude with a good and touching trait. On the anniversary of Molière's death, which befell in winter, she always collected the poor round his grave, and there bestowed charity on them, and lighted great fires to warm them as they ate the food she bestowed without stint upon them at that great master's tomb.

Poor Célimène. Adieu!

## THE JILT.—A YARN.

### PART I.

It was a summer afternoon; the sun shone mellow upon the south sands of Tenby: the clear blue water sparkled to the horizon, and each ripple, as it came ashore, broke into diamonds. This amber sand, broad, bold, and smooth as the turf at Lord's—and, indeed, wickets are often pitched on it—has been called "Nature's finest promenade:" yet, owing to the attraction of a flower show, it was now paraded by a single figure—a tall, straight, well-built young man, rather ruddy, but tanned and bronzed by weather; shaved smooth as an egg, and his collar, his tie, and all his dress very neat and precise. He held a deck glass, and turned every ten yards, though he had a mile to promenade. These signs denoted a good seaman. Yet his glass swept the land more than the water, and that is not like a sailor.

This incongruity, however, was soon explained and justified.

There hove in sight a craft as attractive to every true tar, from an admiral of the red to a boatswain's mate, as any cutter, schooner, brig, bark, or ship; and bore down on him, with colors flying aloft and aloft.

Lieutenant Greaves made all sail tow-

ard her, for it was Ellen Ap Rice, the loveliest girl in Wales.

He met her with glowing cheeks and sparkling eyes, and thanked her warmly for coming. "Indeed you may," said she: "when I promised, I forgot the flower show."

"Dear me," said he, "what a pity! I would not have asked you."

"Oh," said she, "never mind; I shall not break my heart; but it seems so odd you wanting me to come out here, when you are always welcome at our house, and papa so fond of you."

Lieutenant Greaves endeavored to explain. "Why, you see, Miss Ap Rice, I'm expecting my sailing orders down, and before I go, I want— And the sight of the sea gives one courage."

"Not always: it gave me a fit of terror the last time I was on it."

"Ay, but you are not a sailor; it gives *me* courage to say more than I dare in your own house; you so beautiful, so accomplished, so admired, I am afraid you will never consent to throw yourself away upon a seaman."

Ellen arched her brows. "What *are* you saying, Mr. Greaves? Why, it is known all over Tenby that I renounce the military, and have vowed to be a sailor's bride."

By this it seems there were only two learned professions recognized by the young ladies—at Tenby.

“Ay, ay,” said Greaves, “an admiral, or that sort of thing.”

“Well,” said the young lady, “*of course* he would *have* to be an admiral—*eventually*. But they cannot be born admirals.” At this stage of the conversation she preferred not to look Lieutenant Greaves, R. N., in the face; so she wrote pot-hooks and hangers on the sand, with her parasol, so carefully that you would have sworn they must be words of deepest import.

“From a lieutenant to an admiral is a long way,” said Greaves, sadly.

“Yes,” said she, archly, “it is as far as from Tenby to Valparaiso, where my cousin Dick sailed to last year—such a handsome fellow!—and there’s Cape Horn to weather. But a good deal depends on courage, and perseverance.” In uttering this last remark she turned her eye askant a moment, and a flash shot out of it that lighted the sailor’s bonfire in a moment. “Oh, Miss Ap Rice, do I understand you? Can I be so fortunate? If courage, perseverance, and devotion can win you, no other man shall ever— You must have seen I love you.”

“It would be odd if I had not,” said Ellen, blushing a little, and smiling slyly. “Why, all Tenby has seen it. You don’t hide it under a bushel.”

The young man turned red. “Then I deserve a round dozen at the gangway, for being so indelicate.”

“No, no,” said the young Welsh-woman, generously. “Why do I prefer sailors? Because they are so frank and open and artless and brave. Why, Mr. Greaves, don’t you be stupid: your open admiration is a compliment to any girl; and I am proud of it, of course.” said she, gently.

“God bless you!” cried the young man. “Now I wish we were at home, that I might go down on my knees to you, without making you the town-talk. Sweet, lovely, darling Ellen, will you try and love me?”

“Humph! If I had not a great esteem for you, should I be here?”

“Ay, but I am asking for more,” said Greaves: “for your affection, and your promise to wait for me till I am more than a lieutenant. I dare not ask for your hand till I am a post-captain at least. Ellen, sweet Ellen, may I put this on your dear finger?”

“Why, it is a ring. No. What for?”

“Let me put it on, and then I’ll tell you.”

“I declare, if he had not got it ready on purpose!” said she, laughing, and was so extremely amused that she quite forgot to resist, and he whipped it on in a trice. It was no sooner on than she pulled a grave face and demanded an explanation of this singular conduct.

“It means we are engaged,” said he, joyfully, and flung his cap into the air a great height, and caught it.

“A trap!” screamed she. “Take it off this instant.”

“Must I?” said he, sadly.

“Of course you must.” And she crooked her finger instead of straightening it.

“It won’t come off,” said he, with more cunning than one would have expected.

“No more it will. Well, I must have my finger amputated the moment I get home. But mind, I am not to be caught by such artifices. You must ask papa.”

“So I will,” cried Greaves, joyfully. Then, upon reflection: “He’ll wonder at my impudence.”

“Oh, no,” said Ellen, demurely; “you know he is mayor of the town, and has the drollest applications made to him at times. Ha! ha!”

“How shall I ever break it to him?” said Greaves. “A lieutenant!”

“Why a lieutenant is a gentleman; and are you not related to one of the first lords of the admiralty?”

“Yes. But he won’t put me over the heads of my betters. All that sort of thing is gone by.”

“You need not say that. Say you are cousin to the first lord, and then stop. That is the way to talk to a mayor. La,



look at me, telling him what to say—as if I cared. There, now—here comes that tittling-tattling Mrs. Dodsley, and her whole brood of children and nurses. She shan't see what I am doing;" and Miss Ap Rice marched swiftly into Merlin's Cave, settled her skirts, and sat down on a stone. "Oh!" said she, with no great appearance of agitation, "what a goose I must be! This is the last place I ought to have come to; this is where the lovers interchange their vows—the silly things."

This artless speech—if artless it was—brought the man on his knees to her with such an outburst of honest passion and eloquent love that her cooler nature was moved as it had never been before. She was half frightened, but flattered and touched: she shed a tear or two, and, though she drew away the hand he was numbling, and said he oughtn't, and he mustn't, there was nothing very discouraging in her way, not even when she stopped her ears and said, "You should say all this to papa." As if one could make as hot love to the mayor in his study as to the mayor's daughter in Merlin's Cave!

She was coy, and would not stay long in Merlin's Cave after this, but said nothing about going home; so they emerged from the cave, and strolled toward Giltar Point.

Suddenly there issued from the sound, and burst upon their sight, a beautiful yacht, 150 tons or so, cutter-rigged, bowling along before the wind thirteen knots an hour, sails white as snow and well set, hull low and shapely, wire rigging so slim it seemed of whip-cord or mermaid's hair.

"Oh, Arthur!" cried Ellen. "What a beauty!"

"And so she is," said he, heartily, "Bless you for calling me 'Arthur.'"

"It slipped out—by mistake. Come to the Castle Hill. I must see her come right in—Arthur."

Arthur took Ellen's hand, and they hurried to the Castle Hill; and, as they went, kept turning their heads to watch the yacht's maneuvers; for a sailor never

tires of observing how this or that craft is handled; and the arrival of a first-class yacht in those fair but uneventful waters was very exciting to Ellen Ap Rice.

The cutter gave St. Catharine's Rock a wide berth, and ran out well to the Woolhouse Reef; then hauled up and stood on the port tack, heading for her anchorage; but an eddy wind from the North Cliffs caught her, and she broke off; so she stood on toward Monkstone Point; then came about with her berth well under her lee, mistress of the situation, as landsmen say.

Arthur kept explaining her maneuvers and the necessity for them, and, when she came about, said she was well-behaved—had forereached five times her length—and was smartly handled too.

"Oh, yes," said Ellen; "a most skillful captain, evidently."

This was too hasty a conclusion for the sober Greaves. "Wait till we see him in a cyclone, with all his canvas on that one stick, or working off a lee shore in a nor'wester. But he can handle a cutter in fair weather and fresh-water, that is certain."

"Fresh-water!" said Ellen. "How dare you? And don't mock people. I can't get enough fresh-water in Tenby to wash my hands."

"What do you want them *whiter* than snow?" said Greaves, gloating on them undisguised.

"Arthur, behave, and lend me the glass."

"There, dearest."

So then she inspected the vessel, and he inspected the white hand that held the glass. It was a binocular; for even seamen nowadays seldom use the short telescope of other days; what might be called a very powerful opera-glass has taken its place.

"Goodness me!" screamed Ellen. The construction of which sentence is referred to pedagogues.

"What is the matter?"

"The captain is a blackamoor."

Having satisfied herself of the revolting fact by continued inspection, she

handed the glass to Greaves. "See if he isn't," said she.

Greaves looked through the glass, and took leave to contradict her. "Blackamoor! not he. It is worse. It is a gentleman—that ought to know better—with a beastly black beard right down to his waistband."

"Oh, Arthur, how horrid! and in such a pretty ship!"

Greaves smiled indulgently at her calling a cutter a "ship"; but her blunders were beauties, he was so in love with her.

She took the glass again, and looked and talked at the same time. "I wonder what has brought him in here?"

"To look for a barber, I should hope."

"Arthur—suppose we were to send out the new hair-dresser to him? Would it not be fun? Oh!—oh!—oh!"

"What is it now?"

"A boat going out to him. Well, I declare—a boatful of dignitaries."

"Mercy on us!"

"Yes: I see papa, and I see the secretary of the Cambrian Club, and another gentleman—a deputation, I do believe. No—how stupid I am! Why, the new arrival must be Mr. Laxton, that wrote and told papa he was coming; he is the son of an old friend, a ship-builder. Papa is sure to ask him to dinner; and I ask *you*. Do come. He will be quite a lion."

"I am very unfortunate. Can't possibly come to-day. Got to dine on board the *Warrior*, and meet the prince; name down: no getting off."

"Oh, what a pity! It would have been so nice: you and Captain Laxton together."

"Captain Laxton? Who is he?"

"Why, the gentleman with the beard."

"Hang it all, don't call him a captain."

"Not when he has a ship of his own?"

"So has a collier, and the master of a fishing lugger. Besides, these swells are only fair weather skippers; there's always a sailing-master aboard their vessels, that takes the command if it blows a capful of wind."

"Indeed! then I despise them. But I am sorry *you* can't come, Arthur."

"Are you really, love?"

"You know I am."

"Then that is all I care for. A dandy yachtsman is no lion to me."

"We ought to go home now," said Ellen, "or we shall not have time to dress."

He had not only to dress, but to drive ten miles; yet he went with her to her very door. He put the time to profit; he got her to promise everything short of marrying him without papa's consent, and, as she was her father's darling, and in reality ruled him, not he her, that obstacle did not seem insurmountable.

That evening the master of the yacht dined at the mayor's, and was the lion of the evening. His face was rather handsome, what one could see of it, and his beard manly. He had traveled and cruised for years, and kept his eyes and ears open: had a great flow of words, quite a turn for narrative, a ready wit, a seductive voice, and an infectious laugh. His only drawback was a restless eye. Even that he put to a good use by being attentive to everybody in turn. He was evidently charmed with Ellen Ap Rice, but showed it in a well-bred way, and did not alarm her. She was a lovely girl, and accustomed to be openly admired.

Next day Arthur called on her, and she told him everything, and seemed sorry to have had any pleasure he had not a share in. "He made himself wonderfully agreeable," said she, "especially to papa; and, oh! if you had seen how his beard wagged when he laughed—ha! ha! And, what do you think? the 'Cambrians' have lost no time; they have shot him flying: invited him to their Bachelors' Ball. Ah, Arthur, the first time you and I ever danced together was at that ball, a year ago. I wonder whether you remember? Well, he asked me for the first round dance."

"Confound his impudence! What did you say?"

"I said 'No'; I was engaged to the Royal Navy."

"Dear girl. And that shut him up, I hope."

"Dear me, no. He is too good-hu-

mored to be cross because a strange girl was bespoke before he came; he just laughed, and asked might he follow in its wake."

"And you said 'Yes.'"

"No, I did not, now. And you need not look so cross, for there would have been no harm if I had; but what I did say was not 'yes,' but 'hum,' and I would consult my memoranda. Never you mind who I dance with, Mr. Arthur; their name is legion. Wait till you catch me parading the sands with the creatures, and catching cold with them in Merlin's Cave."

"My own love. Come on the sands now; it is low water, and a glorious day."

"You dear goose!" said Ellen. "What, ask a lady out when it is only one clear day before a ball? Why, I am invisible to every creature but you at this moment, and even you can only stay till she comes."

"She? Who?"

"Why, the dressmaker, to be sure. Talk of the—dressmaker, and there's her knock."

"Must I go this moment?"

"Oh no. *Let them open the door to her first.* But of course it is no use your staying while she is here. We shall be hours and hours making up our minds. Besides, we shall be upstairs, trying on things. Arthur, don't look so. Why, the ball will be here with awful rapidity; and I'll dance with you three times out of four; I'll dance you down on the floor, my sailor bold. I never knew a Welsh girl yet couldn't dance an Englishman into a cocked hat: now that's *vulgar*."

"Not as you speak it, love. Whatever comes from your lips is Poetry. I wish you could dance me into a cocked hat and two epaulets; for it is not in nature nor reason you should ever marry a lieutenant."

"It will be his fault if I don't, then."

The door was rattled discreetly, and then opened, by old Dewar, butler, footman, and chatterbox of the establishment. "The dressmaker, miss."

"Well, let Agnes take her upstairs."

"Yes, miss."

Greaves thought it was mere selfishness to stay any longer now; so he bade her good-by.

But she would not let him go away sad. She tried to console him. "Surely," said she, "you would wish me to look well in public. It is *the* ball of Tenby. I want you to be proud of your prize, and not find you have captured a dowdy."

The woman of society and her reasons failed to comfort Lieutenant Greaves: so then, as she was not a girl to accept defeat, she tried the woman of nature: she came nearer him, and said, earnestly, "Only one day, Arthur! Spare me the pain of seeing you look unhappy." In saying this, very tenderly, she laid her hand softly on his arm, and turned her lovely face and two beautiful eyes full up to him.

A sweet inarticulate sound ensued, and he *did* spare her the pain of seeing him look unhappy; for he went off flushed and with very sparkling eyes.

Surely female logic has been underrated up to the date of this writing.

Greaves went away, the happiest lieutenant in the Royal Navy, and content to kill time till the ball day. He dined at the club; smoked a cigar on the Castle Hill, and entered his lodgings just as the London day mail was delivered. There was a paper parallelogram for him, with a seal as big as the face of a chronometer. Order from the Admiralty to join the *Redoubtable* at Portsmouth—for disposal. Private note, by the secretary, advising him to lose no time, as he might be appointed flag-lieutenant to the *Centaur*, admiral's ship on the China station, from which quick promotion was sure to follow in the ordinary course of the service.

Before he knew Ellen Ap Rice his heart would have bounded with exultation at this bright prospect; but now that heart seemed cut in two; one half glowed with ambition, the other sickened at the very thought of leaving Ellen, half won. But those who serve the nation may doubt and fear, but have parted with the right to vacillate. There was but one thing to

do—start for London by the fast train next morning at 10 A. M.

He sent a hurried note to Ellen, by messenger, telling her what had occurred, and imploring an interview. His messenger brought him back a prompt reply. Papa was going to Cardiff in the morning on business; would breakfast at half-past eight precisely. He must invite himself to breakfast that night, and come at eight.

He did so, and Ellen came down directly, with the tear in her eye. They comforted each other, agreed to look on it as a sure step to a creditable union, and, meantime, lessen the separation by a quick fire of letters. He would write from every port he landed in, and would have a letter for every homeward-bound ship they brought to out at sea, and she would greet him with a letter at every port.

When they had duly sealed this compact, the mayor came in, and that kept them both within bounds.

But Greaves's prospect of promotion was discussed, and the mayor showed a paternal interest, and said, "Come back to Tenby a captain, and we shall all be proud of you, shall we not, Nelly?"

When a father says so much as that to a young fellow who has been openly courting his daughter, it hardly bears two meanings; and Greaves went away, brave and buoyant, and the sting taken out of the inopportune parting.

He was soon at Portsmouth, and aboard the *Redoubtable*.

He was appointed flag-lieutenant on board the *Centaure*, then lying at Spithead, bound on a two years' voyage. Under peculiar circumstances she was to touch at Lisbon, Madeira, and the Cape; but her destination was Hong-Kong, where she was to lie for some time in command of the station.

Next morning a letter from Ellen; he kissed it devotedly before he opened it. After some kind things, that were balm to him, she seemed to gravitate toward that great event in a girl's life, the ball: "I did so miss you, dear; and that impudent Mr. Laxton had the first dance—

for of course I never thought of putting anybody in your place—but he would not give up the second any more for that. He said I had promised. Oh, and he asked me if I would honor his yacht with my presence, and he would take me a cruise round Sunday Island. I said, 'No; I was a bad sailor.' 'Oh,' said he, 'we will wait for a soldier's wind?' What is a 'soldier's wind?' When I would not consent, he got papa by himself, and papa consented directly for both of us. I cannot bear such impudent men, that will not take a 'no.'"

Arthur wrote back very affectionately, but made a point of her not sailing in Laxton's yacht. It was not proper; nor prudent. The wind might fall; the yacht be out all night; and, in any case, the man was a stranger, of whom they knew nothing, but that his appearance was wild and disreputable, and that he was a mere cruiser and a man of pleasure. He hoped his Ellen would make this little sacrifice to his feelings. This was his one remonstrance.

Ellen replied to it: "You dear, jealous goose, did you think I would go on board his yacht the only lady? Of course there was a large party; and you should have seen the Miss Frumps, and that Agnes Barker, how they flung themselves at his head; it was disgusting. But don't you worry about the man, dear. I am sorry I told you. We were back to dinner."

Then the fair writer went off to other things; but there was a postscript:

"Captain Laxton has called to bid good-by, and his beautiful yacht is just sailing out of the roads."

As what little interest there is in this part of the story centers in Miss Ap Rice's letters, I will just say that Greaves had one from her at Lisbon, which gave him unmixed pleasure. It was long and kind, though not so gay as usual. As for this Laxton, he appeared to have faded out entirely, for she never mentioned his name.

At Madeira Greaves received a letter, shorter and more sprightly. In a postscript she said: "Who do you think has

fallen down from the clouds? That Mr. Laxton, without his yacht. We asked him what had become of her. ‘Condemned,’ said he solemnly. ‘In the Levant, a Greek brig outsailed her; in the Channel here, a French lugger lay nearer the wind. After that, no more cutters for me.’ We think he is a little cracked. That odious Agnes Barker will not let him alone. I never saw such a shameless flirt.”

The ship lay eight days at Madeira, and on the seventh day he received another letter, begging him to come home as soon as possible, for she was subject to downright persecution from Captain Laxton; and her father was much too easy. For the first time in her life she really felt the need of a protector.

This letter set Greaves almost wild. She wanted him back to protect her now, and he bound for the East, and could not hope to see her for two years.

Nothing for it but to pace the deck and rage internally. No fresh advices possible before the Cape. He couldn’t sleep, and this operated curiously; he passed for a supernaturally vigilant lieutenant.

There was a commander on board, a sprig of nobility, a charming fellow, but rather an easy-going officer; he used to wonder at Greaves, and, having the admiral’s ear, praised him for a model. “The beggar never sleeps at all,” said he. “I think he will kill himself.”

“He will be the only one of ye,” growled the admiral. But he took notice of Greaves—all the more that a lord of the Admiralty, who was his personal friend, had said a word for him in one of those meek postscripts which mean so much when written by the hand of power.

At last they reached the Cape, and dropped anchor.

The mail-boat came out with letters.

There was none for Greaves.

No letter at all! The deck seemed to rise under him, and he had to hold on by the forebraces; and even that was as much as he could do, being somewhat weakened by sleepless nights. Several officers came round him, and the ship’s surgeon applied salts and brandy, and

he recovered, but looked very wild. Then the surgeon advised him to go ashore for a change. Leave was granted immediately, and the second lieutenant went with him good-naturedly enough. They made inquiries, and found another mail was due in two days. They took up their quarters at a hotel, and there Greaves was so wretched, and his companion so sympathetic, that at last the tormented lover made a confidant of him.

“Oh, it will be all right,” said the other. “Why should she want you home, if she liked that lubber?”

“I don’t know,” said poor Greaves. “The last letter was not like her—such a high-spirited girl; and it looked as if he was getting her into his power. If he has, all the worse for both of us; for the day I catch him I shall kill him.”

Next day the mail came in; and as Greaves had left his address at the post-office, a letter was brought him, all wetted and swollen with rain, the boy having carried it without the least attempt to protect it from a thick drizzle that enveloped the town that day.

Greaves tore it open. It was fatally short. This is every syllable of it:

“Forget one unworthy of you. I can resist no longer. I am fascinated. I am his slave, and must follow him round the world. Perhaps he will revenge you.

“Dear Arthur, I did not mean to deceive. I am but young: I thought I loved you as you deserve. Pray, pray forgive me. E.”

Suspense, the worst of all our tortures, was over; the blow had fallen. Arthur Greaves was a man again.

“Yes, I forgive you, my poor girl,” he groaned. “But” (with sudden fury) “I’ll kill *him*.”

He told his friend it was all over, and even gave him the letter. “It is not her fault,” he sobbed. “The fellow has cast a spell over her. No more about it, or I should soon go mad.”

And, from that hour, he endured in silence, and checked all return to the subject very sternly.

But his friend talked, and told the other officers how Greaves had been jilted, and was breaking his heart; and he looked so ghastly pale that altogether he met with much honest sympathy. The very admiral was sorry, in his way. He had met him in the street, looking like a ghost, and his uniform hanging loose on him, his stalwart form was so shrunk. "Confound the women!" growled the old boy to his favorite, the commander. "There's the best officer in the ship, a first-class mathematician, an able navigator, a good seaman, and a practical gunner, laid low by some young bitch not worth his little finger. I'll be bound."

Next day he sent for the young man.

"Lettenant Greaves!"

"Sir."

"Here's a transport going home, and nobody to command her. They have come to me. I thought of sending the second lettenant; it would have been more convenient; for, by Jove! sir, when you are gone, I may have to sail the ship myself. However, I have altered my mind—you will take the troops to Plymouth."

"Yes, admiral."

"Then you'd better take a fortnight ashore, for your health. You are very ill, sir."

"Thank you, admiral."

"Come out to Hong-Kong how you can. You can apply to the Admiralty for your expenses, if you think it is any use."

Greaves's eye flashed and his pale cheek colored.

"Ay, ay," said the admiral, "I see these instructions are not so disagreeable as they ought to be. A steam-tug and a cargo of lobsters! But you must listen to me: an honest sailor like you is no match for these girls; it is not worth your while to be sick or sorry for any one of them. There! there! send your traps aboard the tub, and clear the harbor of her as soon as you can. She is under your orders, sir."

"God bless you, admiral!" sobbed Greaves, and retired all in a hurry, partly to hide his emotions, and partly

because it is not usual, in the service, to bless one's superiors to their faces. It is more the etiquette to curse them behind their backs.

Now was Greaves a new man. Light shone in his eye, vigor returned to his limbs; this most unexpected stroke of good fortune put another face on things. He had the steamboat coaled and victualled with unheard-of expedition, got the troops on board, and steamed away for Plymouth.

They had fair weather, and his hopes rose. After all, Ellen could hardly have taken any irretrievable step. She had never denied his claim on her; a good licking bestowed on Laxton might break the spell and cool his ardor into the bargain. He felt sure he could win her back somehow. He had been out of sight when this fellow succeeded in deluding her. But now he should get fair play.

He landed the troops at Plymouth, and made his report; then off to Tenby at once. He went straight to the mayor's house. A girl opened the door.

"Miss Ap Rice?"

"She don't live here, sir, now. Lawk! it is Captain Greaves. Come in, sir, and I'll send Mr. Dewar."

Greaves went in, full of misgivings, and sat down in the dining-room.

Presently Dewar came—a white-haired old fellow, who had been at sea in early life, but was now the mayor's factotum, and allowed himself great liberties.

He came in, open-mouthed. "Ah, Captain Greaves, it is a bad business. I'm a'most sorry to see you here. Gone, sir, gone, and we shall never see her again, I'm afraid."

"Gone! What! run away—with that scoundrel?"

"Well, sir, it did look like running away, being so sudden. But it was a magnificent wedding, for that matter, and they left in a special steamer, with a gilt starn, and the flags of all nations a-flying."

"Married?"

"You may well be surprised, sir. But, for as sudden as it was, I seen it a-coming. You see, sir, he was always at her, morn-



HE TORE THE NECKLACE OFF HER NECK, AND DASHED IT TO THE GROUND.

—Doubled.





ing, noon, and night. He'd have tired out a saint, leastways a female one. Carriage and four to take her to some blessed old ruin or other. *She* didn't care for the ruin, but she couldn't withstand the four horses, which they are seldom seen in Tenby. Flowers every day; Hindia shawls; dimond necklace; a wheedling tongue; and a beard like a Christmas fir. I blame that there beard for it. Ye see, captain, these young ladies never speaks their real minds about them beards. Lying comes natural to them; and so, to flatter a clean, respectable body like you or me, they makes pretend, and calls beards ojjions. And so they are. That there Laxton, his beard supped my soup for a wager agin his belly; and with him chattering so, he'd forget to wipe it for ever so long. Sarved him right if I'd brought him a basin and a towel before all the company. But these young ladies, they don't vally that. What they looks for in a man is to be the hoppersite of a woman. They hates and despises their own sect. So what they loves in a man is humblushing himpudence and a long beard. The more they complains of a man's brass, the more they likes it; and as for a beard, they'd have him look like a beast, so as he looked very onlike a woman, which a beard it is. But if they once fingers one of them beards it is all up with 'em. That is how I knew what was coming: for one day I was at my pantry window, a-cleaning my silver, when miss and him was in the little garden; seated on one bench they was, and not fur off one another neither. He was a-reading poetry to her, and his head so near her that I'm blest if his tar-nation beard wasn't almost in her lap. Her eyes was turned up to heaven in a kind of trance, a-tasting of the poetry; but whiles she was a-looking up to heaven for the meaning of that there sing-song, blest if her little white fingers wasn't twisting the ends of that there beard into little ringlets, without seeming to know what they was doing. Soon as I saw that, I said, 'Here's a go. It is all up with Captain Greaves. He have limed her, this here cockney sailor.' For

if ever a woman plays with a man's curls, or his whiskers, or his beard, she is netted like a partridge. It is a sure sign. So should we be if the women's hair was loose: but they has so much mercy as to tie it up and make it as hugly as they can, and full o' pins, and that saves many a man from being netted and caged and all. So soon arter that she named the day."

Greaves sat dead silent under this flow of envenomed twaddle, like a spartan under the knife. But at last he could bear it no longer. He groaned aloud, and buried his contorted face in his hands.

"Confound my chattering tongue!" said honest Dewar, and ran to the side-board and forced a glass of brandy on him. He thanked him, and drank it, and told him not to mind him, but to tell him where she was settled with the fellow.

"Settled, sir?" said Dewar. "No suck luck. She writes to her papa every week, but it is always from some fresh place. 'Dewar,' says his worship to me, 'I've married my girl to the Wandering Jew.' Oh, he don't hide his mind from me. He tells me that this Laxton have had a ship built in the north, a thundering big ship—for he's as rich as Creses—and he have launched her to sail round the world. My fear is he will sail her to the bottom of the ocean."

"Poor Ellen!"

"Captain, captain, don't fret your heart out for her: she is all right. She loves the man, and she loves hexcitement; which he will give it her. She'd have had a ball here every week if she could; and now she will see a new port every week. She is all right. Let her go her own road. She broke her troth to do it; and we don't think much, in Wales, of girls as do that, be they gentle or be they simple, look you."

Greaves looked up, and said, sternly, "Not one word against her before me. I have borne all I can."

Old Dewar wasn't a bit offended. "Ah, you are a man, you are," said he. Then, in a cordial way, "Captain Greaves, sir, you will stay with us, now you are come."

"Me stay here!"

"Ay; why not? Ye mustn't bear spite against the old man. He stood out for you longer than I ever knowed him to stand out against *her*. But she could always talk him over; she could talk anybody over. It is all haccident my standing so true to you. It wasn't worth her while to talk old Dewar over; that is the reason. Do ye stay, now. You'll be like a son to the old man, look you. He is sadly changed since she went—quite melancholy, and keeps a-blaming of hisself for letting her be master."

"Dewar," said the young man, "I cannot. The sight of the places where I walked with her, and loved her, and she seemed to love me—oh no!—to London by the first train, and then to sea. Thank God for the sea! The sea cannot change into lying land. My heart has been broken ashore. Perhaps it may recover in a few years, at sea. Give him my love, Dewar, and God bless *you!*"

He almost ran out of the house, and fixed his eyes on the ground, to see no more objects imbittered by recollections of happiness fled. He made his way to his uncle in London, reported himself to the Admiralty, and asked for a berth in the first ship bound to China. He was told, in reply, he could go out in any merchant ship; but as his pay would not be interrupted, the government could not be chargeable for his expenses.

In spite of a dizzy headache, he went into the City next day to arrange for his voyage.

But at night he was taken with violent shivering, and before morning was light-headed.

A doctor was sent for in the morning.

Next day the case was so serious that a second was called in.

The case declared itself—gastric fever and jaundice.

They administered medicines, which, as usual in these cases, did the stomach a little harm, and the system no good.

His uncle sent for a third physician; a rough but very able man. He approved all the others had done—and did the very

reverse; ordered him a milk diet, tepid aspersions, frequent change of bed and linen, and no medicine at all, but a little bark; and old Scotch whisky in moderation.

"Tell me the truth," said his sorrowful uncle.

"I always do," said the doctor, "that is why they call me a brute. Well, sir, the case is not hopeless *yet*. But I will not deceive you; I fear he is going a longer voyage than China."

So may the mind destroy the body, and the Samson, who can conquer a host, be laid low by a woman.

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## PART II.

YOUTH, a good constitution, good nursing, the right food and drink, and no medicine, saved the life of Arthur Greaves. But gastric fever and jaundice are terrible foes to attack a man in concert; they left him as unlike the tanned and ruddy seaman of our first scene, as the wrecked ship battered against the shore is to the same vessel when she breasted the waves under canvas. His hair was but half an inch long, his grizzly beard two inches; and his sunken cheeks as yellow as saffron. They told him he was out of danger, and offered him a barber to shave his chin—the same that had shaved his head a fortnight before.

"No," said the convalescent; "not such a fool."

He explained to his uncle, in private: "I have lost my Ellen for want of a beard. I won't lose another that way, if I ever have one."

He turned his now benumbed heart toward his profession, and pined for blue water. His physician approved; and so, though still weakish and yellowish, he shipped, as passenger, in the *Phabe*,

bound for Bombay and China, and went on board at Gravesend. She was registered nine hundred tons, and carried out a mixed cargo of hardware and Manchester goods, including flaming cottons got up only for the East, where Englishmen admire them for their Oriental color. She was well manned at starting, and ably commanded from first to last by Captain Curtis and six officers. The first mate, Mr. Lewis, was a very experienced seaman, and quite a friendship sprang up between him and Flag-Lieutenant Greaves. The second mate, Castor, was an amiable dare-devil, but had much to learn in navigation, though in mere seamanship he was well enough. Fortunately he knew his deficiencies and was teachable.

A prosperous voyage is an uneventful one; and there never was a more humdrum voyage than the *Phæbe's* from Gravesend to Bombay. She was towed from Gravesend to Deal, where an easterly wind sprang up, and, increasing, carried her past the Lizard and out of sight of land; soon after the wind veered a point or two to the northward. She sighted Madeira on the seventh day, and got the N.E. Trades; they carried her two degrees north of the line. Between that and 2 S. she fell into the Doldrums. But she got the S.E. Trade sooner than usual, and made the best of it; set the foretop-mast studding-sail, and went a little out of her course. At 34 S. she got into the steady nor'wester, and, in due course, anchored in Table Bay.

The diamond fever being at its height, several hands deserted her at the Cape. But she had fair weather, and reached Bombay without any incident worth recording. By this time Greaves had put on flesh and color, and though his heart had a scar that often smarted, it bled no longer; and as to his appearance, he was himself again, all but a long and very handsome beard.

At Bombay the *Phæbe* landed part of her cargo, and all her passengers; but took a few fresh ones on board for China—a Portuguese merchant bound for Macao, and four ladies, two of them

officers' wives returning to their husbands, and two spinsters going out to join their relatives at Hong-Kong. They were all more or less pretty and intelligent, and brightened the ship amazingly; yet one day every man in her wished, with all his soul, every one of those ladies was out of her. She also shipped forty Lascars, to make up for twenty white men she had lost by death and desertion.

The *Phæbe* had fair weather to Penang, and for some time after, but not enough of it. However, after the usual bother in the Straits of Malacca, she got clear and carried a light breeze with her. Captain Curtis feared it would be down sun, down wind; but the breeze held through the first and greater part of the second watch; and then, sure enough, it fell dead calm.

Mr. Lewis had the morning watch; the ropes were coiled up at one bell, the whip rigged, the deck wetted and sanded, and they were holy-stoning it when day began to break. Then there loomed the black outline of a strange sail lying on the *Phæbe's* port-beam, a quarter of a mile off. The sun soon gets his full power in that latitude, and in a minute the vessel burst out quite clear, a topsail schooner of some four hundred tons, with a long snaky hull, taunt, raking masts, and black mast-heads, everything very trig aloft and aloft, sails extremely white; she carried five guns of large caliber on each side.

Lewis reported her to the captain directly, and he came on deck. They both examined her with their glasses. She puzzled them.

"What do you make of her, Lewis? Looks like a Yankee."

"So I thought, sir, till I saw her armament."

Here Greaves joined them, and the captain turned toward him. "Can she be one of your China squadron?"

"Hardly, unless the admiral has a schooner for his tender; and, if so, she would be under a pennant."

Lewis suggested she might be a Portuguese schooner looking out for pirates.

Captain Curtis said she might, and he should like to know; so he ordered the driver to be brailed up, and the ship's colors hoisted.

The next moment it was eight bells, and pipe to breakfast. But Captain Curtis and his companions remained on deck to see the stranger hoist her colors in reply.

The schooner did not show a rag of bunting. She sat the water, black, grim, snake-like, silent.

Her very crew were invisible; yet one glance at her rigging had showed the officers of the *Phoebe* she was well manned.

Captain Curtis had his breakfast brought him on deck.

The vessels drifted nearer each other, as often happens in a dead calm. So, at 8:50 A. M., Captain Curtis took a trumpet, and hailed the stranger, "*Schooner—ahoy!*"

No answer.

The *Phoebe's* men tumbled up, and clustered on the forecastle, and hung over the bulwarks: for nothing is more exciting to a ship's company than hailing another vessel at sea.

Yet not one of the schooner's crew appeared.

This was strange, unnatural, and even alarming.

The captain, after waiting some time, repeated his hail still louder.

This time a single figure showed on board the schooner; a dark, burly fellow, with a straight mustache, a little tuft on his chin, and wearing a Persian fez. He stood by the foremast swiftsure of the main rigging, and bawled through his trumpet, "Hullo!"

"What schooner is that?"

"What ship is that?"

"The *Phoebe*."

"Where from, and where bound?"

"Penang to Hong-Kong. Who are you?"

"The *Black Rover*."

"Where bound?"

"Nowhere. Cruising."

"Why don't—ye—show—your colors?"

"Ha!—ha!"

As this strange laugh rang through the trumpet across the strip of water that now parted the two vessels, the Mephistophelian figure dived below, and the schooner was once more deserted, to all appearance.

It was curious to see how Captain Curtis and his first mate now evaded their own suspicions, and were ingenious in favorable surmises. Might she not be an armed slaver? or, as Lewis had suggested, a Portuguese?

"That fellow who answered the hail had the cut of a Portuguese."

But here Mr. Castor put in his word. "If she is looking for pirates, she hasn't far to go for one, I'm thinking," said that hare-brained young man.

"Nonsense, sir," said the captain. "What do you know about pirates? Did ye ever see one as near as this?"

"No, sir."

"No more did I," said Greaves.

"You!" said Castor. "Not likely. When they see a queen's ship they are all wings, and no beak. But they can range up alongside a poor devil of a merchantman. Not seen a pirate? no; they are rare birds now: but I have seen ships of burden and ships of war, and this is neither. She is low in the water, yet she carries no freight, for she floats like a cork. She is armed and well manned, yet no crew to be seen. The devils are under hatches, till the time comes. If she isn't a pirate, what is she? However, I'll soon know."

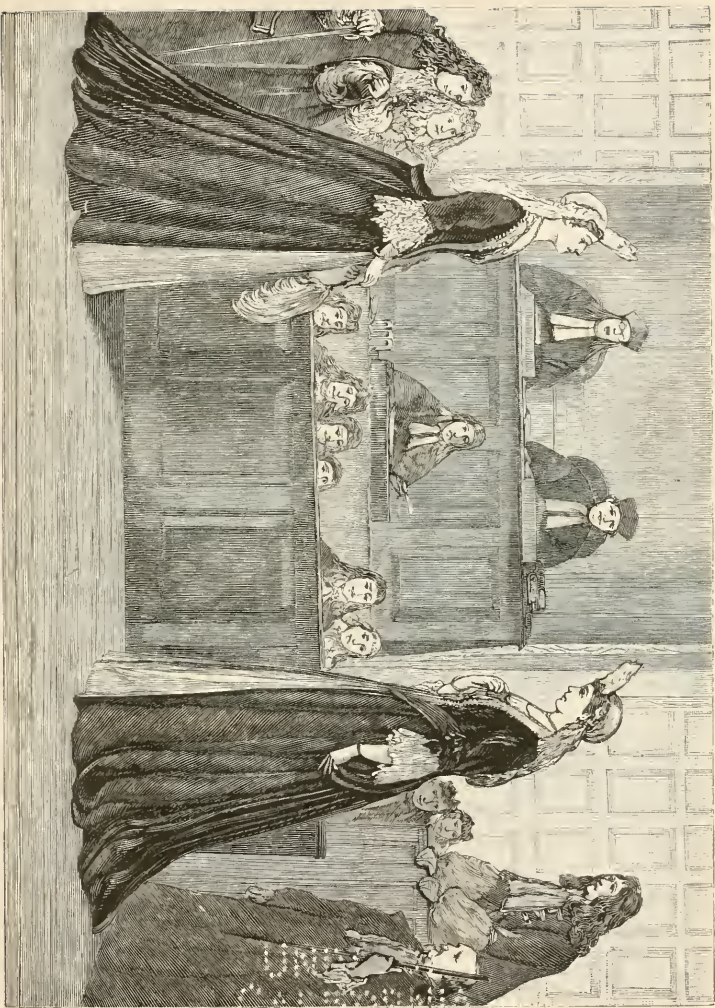
"Don't talk so wild, Castor," said the captain: "and how can you know? they won't answer straight, and they won't show their colors."

"Oh, there's a simple way you have not thought of," said the sapient Castor; "and I'll take that way, if you will allow me—I'LL BOARD HER."

At this characteristic proposal, made with perfect composure, the others looked at him with a certain ironical admiration.

"Board her!" said the captain. "I'll be d—d if you do."

"Why not, captain? There, that shows



THE LADIES FACED EACH OTHER LIKE TWO YOUNG STAGS READY TO BUTT EACH OTHER.



you think she is wicked. Why, we *must* find out what she is—somehow."

"We shall know soon enough," said the captain, gloomily. "I am not going to risk my officers: if anybody boards her, it shall be me."

"Oh, that is the game, is it?" said Castor, reproachfully. "Why, captain, you are a married man. You ought to be ashamed of yourself."

"No more words, sir, if you please," said the captain, sternly. "Step forward and give the order to sling a butt, and get a boat ready for target practice. I shall exercise the guns, being a calm. Perhaps he thinks we are weaker than we are."

As soon as Castor's back was turned, he altered his tone, and said, with much feeling. "I know that fool-hardy young man's mother. How could I look her in the face if I let him board that devil before we know her intentions?"

A butt was ballasted with sand, so as to secure its floating steadily, bung-hole up; the bung was removed, and a boat-hook wedged in, bearing the ensign. The butt was then launched, and towed out half a mile to starboard; and the *Phæbe* tried her guns on it.

If she had anticipated this meeting, the ship could have poured a formidable broadside into the mysterious stranger, for she carried three 32-pound carronades of a side on her quarter-deck, and thirteen 18-pounders of a side on her gun-deck. But it was the old story; the times were peaceable, the men were berthed on the gun-deck, and, for their convenience, eighteen out of the twenty-six guns had been struck down into the hold.

With the remaining guns on the starboard side they fired at the butt, and so carefully that, after an hour's practice, it was brought back very little the worse. The only telling shot was made on the gun-deck by a gunner, whose foot slipped somehow, and he dropped a 32-pound ball on Greaves's ankle, disabling that unfortunate officer: he was carried to his cabin in great pain, and there attended by the surgeon.

The commotion caused by this misfort-

une was hardly over upon the quarter-deck when an unexpected incident occurred—an act of direct insubordination. Mr. Castor had put on his uniform, and persuaded two poor fellows, an ignorant Lascar and a reckless Briton like himself, to go out to the schooner in the boat. They slipped into her as soon as the party came on board with the butt, and at first pretended to be bailing her out and examining her for leaks; but they worked quietly alongside till they got under the ship's bows, and then dropped their oars gently into the water and pulled for the schooner like mad.

They were a third of the way before Captain Curtis caught sight of them. He roared to them to come back, and threatened to put them in irons. But none are so deaf as those who won't hear; and he did not use his trumpet, lest the enemy should think they were disunited on board the ship.

He and Lewis, therefore, now looked on in silence, and literally perspired with anxiety for the fate of Castor and his boat's crew; and although their immediate anxiety was as unselfish as it was keen, yet they were also conscious that if Castor lost his life in this rash enterprise, that would prove the commander of the schooner felt strong enough to attack *them*—no quarter on either side—and intended to do it.

At this terrible moment, when their eyes were strained to observe every movement in the schooner, and their nerves strung up like violin strings, female voices broke gayly in upon them with innocent chatter that, for once, jarred as badly as screams; the lady passengers had kept very snug during the firing, but finding it was quite over, burst on the deck in a body.

*First Lady*.—"Oh, that's the ship we have been saluting."

*Second Lady*.—"A royal salute."

*Third Lady*.—"Is it the Duke of Edinburgh's ship, captain?"

No answer.

*Third Lady*.—"What a beauty!"

*First Lady*.—"Why does she not salute us back, captain?"

*Captain.*—"Got no guns, perhaps."

*First Lady.*—"Oh, yes, she has. Those black things peeping out are guns."

*Second Lady.*—"Ah, there's one of our boats going to call on her."

*Third Lady.*—"Oh, captain, may we go on board of her?"

*Captain.*—"No, ma'am."

*Third Lady.*—"Oh, dear! Why not?"

*Captain.*—"That is my business."

The fair speaker tossed her head and said, "Well, I am sure!" but she drew back with red cheeks, and the tears in her eyes, at being snubbed so suddenly and unreasonably: the other ladies gathered round her, and the words, "Cross old thing!" were heard to issue from the party, but fell unheeded, for neither the captain nor Mr. Lewis had eyes nor ears except for the schooner and the boat. As the latter neared the ship, several faces peeped, for a moment, at the port-holes of the schooner.

Yet, when the boat ran alongside the schooner amidships, there was no respect shown to Castor's uniform, nor, indeed, common civility: it would have been no more than the right thing to pipe the side; but there were no sidesmen at all, nor even a siderope.

Observing this, Captain Curtis shook his head very gravely.

But the dare-devil Castor climbed the schooner's side like a cat, and boarded her in a moment, then gave his men an order, and disappeared. The men pulled rapidly away from the schooner; and a snarl of contempt and horror broke from Curtis and his first mate. They seemed to be abandoning their imprudent but gallant officer.

They pulled about a hundred yards, and then rested on their oars and waited.

Then every sailor on board the *Phæbe* saw instinctively that Castor felt his danger, and had declined to risk any life but his own. He must have ordered the men to lie to a certain time, then give him up for lost, and return in safety to the ship. This trait and his daring made Castor, in one single moment, the darling of the whole ship's company.

The ladies were requested to go below,

on some pretense or other; and the ship was cleared for action as far as possible.

Meantime words can hardly describe the racking suspense that was endured by the officers, and, in a great degree, by the crew of the *Phæbe*. The whole living heart of that wooden structure throbbled for one man.

Five minutes passed—ten—twenty—thirty—yet he did not re-appear.

Apprehension succeeded to doubt, and despair to apprehension.

At last they gave him up, and the burning desire for vengeance mingled with thier fears for their own safety. So strong was this feeling that the next event, the pirate's attack upon that ill-fated officer's ship, was no longer regarded with unmixed dread. The thirst for vengeance mingled with it.

At ten o'clock A. M. the strained eyes on board the *Phæbe* saw two sidesmen appear amidships, and fix scarlet sideropes.

Then came an officer and hailed Castor's boat. The men pulled to the schooner. Then Castor appeared, and went down by the ropes into the boat; he and the officer touched hats. Castor sat down in the stern-sheets, and the men gave way.

The ship's company cheered, the side was piped, and the insubordinate officer received on board with all the honors. Caps were waved, eyes glistened, and eager hands extended to him; but he himself did not seem so very exultant. He was pleased with his reception, however, and said, in his quaint way, "This is jolly. I am not to be put in irons, then."

The captain drew him apart. "Well, what is she?"

"Don't know."

"Why, what do you mean? You have been near an hour aboard her."

"But I am none the wiser. Captain, I wish you would have us all into your cabin, and then I'll tell you a rum story; perhaps you will understand it among you, for you know my headpiece isn't A1."

This advice was taken directly, and



Castor related his adventures, in full conclave, with closed doors.

MR. CASTOR'S NARRATIVE.

"The beggar did not hang out so much as a rope to me. I boarded his hooker the same way I should like to board her again with thirty good cutlasses at my back; and I ordered the boat to lie out of harm's way for an hour.

"Well, I soon found myself on her quarter-deck, under the awning. By George, sir, it was alive with men, as busy as bees, making their little preparations. drat 'em. Some were oiling the locks of the guns, some were cleaning small-arms, some were grinding cutlasses. They took no notice of me; and I stood there looking like an ass.

"I wondered whether they took me for a new officer just joined; but that was not likely. However, I wasn't going to notice *them*, as they hadn't the manners to notice me. So there I stood and watched them. And I had just taken out my vesuvians to light a cigar, when a middle-aged man, in a uniform I don't know, but the metal of it was silver, came bustling up, touched his cap to the deck, and brushed past me as if I was invisible: so I hung on to his coat-tails, and brought him to under all his canvas."

This set the youngest mate giggling, but he was promptly frowned down.

"'Hullo!' says he, 'what are ye about? Why, who the deuce are you?'"

"'Second mate of the *Phoebe*, alongside,' says I.

"'Mate of the *Phoebe*,' says he; 'then what brings you on board of *us*? That was rather a staggerer, but I thought a bit, and said I wanted to see the captain of the schooner.

"Well, sir, at this some of the men left off working, and looked up at me as if I was some strange animal.

"'Do you?' says the officer; 'then you are the only man aboard that does.' Then he turned more friendly like, and says, 'Look here, young gentleman, don't you go to meet trouble. Wait till it comes to you. Go back to your ship, before *she* sees you.'

"'She! Who?'"

"'No matter. You sheer off, and leave our captain alone.'

"Now, gentlemen, I'm a good-tempered chap; and you may chaff me till all is blue; but I can't stand intimidation. If they threaten me, it puts my blood up. At school, if another boy threatened me, I never answered him; my fist used to fly at his mouth as soon as the threat was out of it."

"'Good little boy,' said Lewis.

But the captain was impatient. "Come, sir, we don't want your boyish reminiscences: to the point, please."

"Ay, ay, sir. Well, then, the moment he threatened me, I just turned my back on him, and made for the companion ladder.

"'Avast there!' roared the officer, in an awful fright. 'Nobody uses that ladder but the captain himself and— Man alive, if you *will* see him, follow me.' So he led me down the main hatch-way. By the cabin-cable tier I came all of a sudden on three men in irons; ugly beggars they were, and wild-looking, reckless chaps. One of them ran a spare anklet along the bar, and says to me. 'Here you are; room for one more.' But my companion soon stopped his jaw. 'Silence in irons, or he'll cut your tongue out,' says he. He wouldn't go to the captain with me; but he pointed aft, and whispered, 'Last cabin but one, starboard side.' Then he sheered off, and I went for'ard and knocked at the cabin door. No answer; so I knocked louder. No answer; so I turned the handle and opened the door."

"Young madman!" groaned the captain.

"Not so very. I HAD MY LITTLE PLAN."

"Oh, he had his little plan," said Curtis, ironically, pityingly, paternally. Then, hotly, "Go on, sir: don't keep us on tenter-hooks, like this."

"Well, captain, I opened that door, and oh, my eye! it wasn't a cabin; it was a nobleman's drawing-room: pile carpet an inch thick; beautiful painted ceiling; so many mirrors down to the

ground, and opposite each other, they made it look like a big palace; satin-wood tables; luxurious couches and chairs; a polished brass stove, but all the door-handles silver; venetians, and rose-colored blinds and curtains. The sun just forced its way through, and made everything pink. It was a regular paradise; but, instead of an angel, there was a great hulking chap, squatted cross-legged on an ottoman at the further end, smoking a hookah as long and twisty as a boa-constrictor. The beggar wasn't smoking honest tobacco neither, but mixed with rose leaves and cinnamon shavings, and, in my opinion, a little opium, for he turned up his eyes like an owl in paradise."

"Not so very formidable, then."

"Formidable?—well, I wouldn't answer for that, at the proper time, and at the head of his cut-throats: for he was a precious big chap, with black brows, and a wicked-looking mustache and tuft. He was the sort of chap that nigger who smothers his wife in the play says he *killed*, 'a malignant and a turbaned Turk,' you know. But then it wasn't his fighting hour: he was in smoker's paradise, and it's my belief you might have marched up to him and knocked him on the head—like one of those devil-may-care penguins that won't budge for a cannon-ball—and then he would have gone smoking on the ground till you cut his head off and took away his pipe. But you'll find the 'Malignant' had a protector, worse luck, and one that didn't smoke spice, but only looked it. Well, captain, I came up to the nearest table, and hit it pretty hard with my fist to see if I could make that thundering picture jump."

"What picture?"

"Why, the 'Malignant and the Turbaned.' Devil a bit. He took no notice. So then I bawled at the beggar: 'Your most obedient, sir; I'm the second mate of the *Phæbe*, lying alongside, and the captain has sent me to compare longitudes.'

"The 'Malignant' took no notice: just glared at me, and smoked his pipe. He looked just like that 'Malignant Turban'

that plays whist with you by machinery in London, and fixes his stony eyes on you all the time; but, with me bawling at him, a door opened, and in came a flood of light, and, in the middle of it—Oh, Lord!"

"Well, what?"

"Just the loveliest woman I ever clapped eye on. The vision took me all aback, and I suppose I stared at her as hard as the 'Malignant' was staring at vacancy; for she smiled at my astonishment, and made me a sort of a haughty courtesy, and waved her hand for me to sit down. Then says she, mighty civil—too civil by half—'Have I the pleasure of addressing the captain of that beautiful ship?'

"'I'm her second officer, ma'am,' says I: but I was too dazzled by her beauty to make her up any lies all in a moment.

"'Bound for China?' says she, like honey.

"'Yes, ma'am.'

"'A large crew?' says she, like treacle.

"'About ninety, ma'am,' says I, very short, for I began to smell a rat.

"'Many European sailors among them?' says she.

"'So then I saw what the beautiful fiend would be at, and I said, 'About fifty.'

"'Indeed!' says she, smiling like Judas. 'You know ladies will be curious, and I could only count twenty-five.'

"'The rest were below, coiling ropes,' says I.

"'So she laughed at that, and said, 'But I saw plenty of Lascars.'

"'Oh, our Lascars are picked men,' says I.

"'I wish you joy of them,' she says: 'we don't have them here: not to be trusted in EMERGENCIES, you know.'

"'While I was swallowing this last pill, she at me again. Did we often exercise our guns? I said of course we did, in a calm. 'Why,' said she, 'that is not much use: the art is to be able to hit ships and *things* as you are rising or falling on the waves—so they *tell* me,' says she, correcting herself.

“The beautiful devil made my blood run cold. She knew too much.

“‘What is your cargo?’ says she, just as if she was our bosom friend. But I wouldn’t stand any more of it. ‘Nutmegs,’ says I. So she laughed, and said, ‘Well, but seriously?’ So then I thought chaffing her would do no good, and I told her we had landed the valuable part of our cargo at Bombay, and had only a lot of grates and fire-irons left. I put on a friendly tone, all sham, like hers, you know, and told her that tea ships depended on the cargo they brought home, not on the odds and ends they took out just to ballast the craft.”

“Well, what was the next thing?”

“Oh, I remember she touched a silver bell, and a brown girl, in loose trousers and cocked-up shoes and a turban, came in with a gold tray—or it might be silver gilt—and a decanter of wine; and the lovely demon said, ‘Pour out some wine, Zulema.’

“‘No, thank you, ma’am,’ said I. So she laughed, and said it wasn’t poisoned. She sent off the slave, and filled two glasses, with the loveliest white hand, and such a diamond on it. She began drinking to me, and of course I did the same to her. ‘Here’s to our next merry meeting,’ said she. My blood ran a little cold at that; but I finished my liquor. It was no use flying a white feather; so says I, ‘Here’s to the Corsair’s bride.’ Her eyes twinkled, but she made me a civil courtesy.

“‘That’s prime Madeira,’ says I.

“She said yes, it had been their companion in several cruises.

“‘It runs through a fellow like oil,’ says I.

“‘Then have some more,’ said she.

“So I did, and then she did not say any more, and the ‘Malignant’ sat mum-chance: and I was pumped dry, and quite at a loss. So, not to look like a fool, I—asked ‘em to breakfast.”

“What! Who?”

“Why, the lady and gentleman: I mean the ‘Malignant’ and ‘the Corsair’s bride.’”

“Young madman!”

“Why, what harm could that do, captain?”

“What good could it do? What did they say?”

“She said, ‘Are there any ladies aboard?’

“I said, ‘Yes, and tip-top fashionable ones.’

“So then she looked at the ‘Malignant,’ and he never moved a muscle. So then she said, ‘We will do ourselves the pleasure—IF WE ARE IN COMPANY,’ and she smiled ever so knowingly, did that beautiful demon.

“Then I pretended cheerful. ‘That is all right,’ said I. ‘Mind, I shall tell the ladies, and they will be awfully disappointed if you don’t come.’

“‘I assure you,’ says she, ‘we will come, IF WE ARE IN COMPANY. I give you my hand on it,’ says she, and she put out her hand. It was lovely and white, but I looked at it as if ‘twas the devil’s claw; but I had to take it, or walk the plank; so I did take it, and—Oh Lord, would you believe it?—she gave mine such a squeeze.”

*Lewis.*—“Gammon!”

*Castor.*—“I tell you she gave my flipper the most delicious squeeze you ever—it was so long, and soft, and gentle.”

*Curtis.*—“But what was it for?”

*Castor.*—“At the time I thought it was to encourage me; for she said, ever so softly, ‘You are a brave man.’ But more likely it was to delude me and put me off my guard. Well, I was for sheering off after that, and I made a low bow to the ‘Malignant.’ He never got up, but he showed his little bit o’ breeding, took the snake-pipe out of his mouth, and brought his head slowly down, an inch a minute, till he looked like pitching over on to the floor and cutting a somersault; and, while he was going down and up again, the lady said, ‘You had better wait a minute.’ It was in a very particular way she said it; and she flew to a telegraph, and her white hands went clicking at an awful rate; and I cannot get it out of my head that if those white hands hadn’t worked those wires, I should have been cut in pieces at the

cabin door. Not that I cared so very much for that. I HAD MY LITTLE PLAN. However, she left off clicking just as that old picture got his figure-head above his bows again: so I made my bow to 'em both, and sheered off; and blest if that elderly officer does not meet me at the door, and march before me to the quarter-deck; and there's another officer hailing my boat; and there were fine scarlet silk side-ropes fixed, and two men standing by them. So I came away in state. But I'm no wiser than I went. Whether it is an Eastern prince, out on pleasure, or a first-class pirate, I don't know. I hope you will order a tip-top breakfast, captain, for the honor of the ship; lobster curry, for one thing; and sharpen cutlasses and clean small-arms; and borrow all Mr. Greaves's revolvers; he is taking out quite a cargo of 'em: and that reminds me I forgot to tell you what my little plan was that made me so saucy. I borrowed one of Greaves's six-shooters: here it is, and at the first sign of treachery I wasn't going to waste powder, but just cut back and kill the 'Malignant' and the 'Corsair's bride;' for I argued they wouldn't have a successor ready, and ten to one they would have a quarrel who was to take the command: so that would save our hooker at the expense of one hand, and him a bachelor. Nobody minds a bachelor getting snuffed out."

Upon Mr. Castor revealing his little plan, the other officers insisted on shaking hands with him. At which he stared, but consented heartily; and finding himself in such unexpected favor, repeated his advice. "Prepare an excellent breakfast for to-morrow, and grind cutlasses, and load the guns with grape, and get all the small-arms loaded, especially revolvers; for," said Castor, "I *think* they mean to board us to-night, cut all our throats, ravish the women, and scuttle the craft, when they have rifled her; but if they don't, I'm *sure* they will come to breakfast. She gave me her hand on that, and the turbaned Turk nodded his thundering old piratical figure-head."

The other officers agreed with him that

the ship would probably be attacked that night, and all possible preparations were made for her defense. They barred the ports on the main-deck, charged the cannon with grape, armed the Lascars with cutlasses, and the white men with muskets as well, and the officers and the boatswain with cutlasses and revolvers.

The sun set, and all was now grim expectation and anxiety. No watch was called, for the whole crew was the watch.

The moon came out, and showed the cutter, like a black snake, lying abominably near.

Hour after hour dragged by in chill suspense. Each bell, as it was struck, rang like a solemn knell.

Midnight came, and passed. Morning approached.

The best time for attacking seemed to have passed.

Fears began to lessen—hopes to glow.

The elastic Castor began to transfer his whole anxiety to the cook and his mate, standing firm to his theory that the Corsair and his bride would come to breakfast, if they did not attack the ship that night. The captain pooh-poohed this; and indeed Castor persuaded nobody but the cook. Him he so flattered about his fish patties and lobster curries, etc., that he believed anything.

Day broke, and the ship's company and officers breathed freely. Some turned in. But still the schooner was closely watched by many eyes and deck glasses, and keenly suspected.

Soon after eight bells there was a movement on board the schooner; and this was immediately reported by Mr. Castor, then in charge of the ship, to Captain Curtis. He came on deck directly.

"You are right, sir," said he, handling his glass, "and they are lowering a boat. He is coming. And—by Jove, they are rigging a whip! There's a lady. Mr. Castor, rig a whip on the main-yard. Bear a hand there, forward. Bosen, attend the side. Here, sling this chair. Smart, now—they are shoving off."

Six able oarsmen brought the Corsair

and his bride, with race-horse speed, from the schooner to the ship.

But there were smart fellows on board the *Phæbe* too. There was a shrill wind of the boatswain's pipecall, the side was promptly manned, the chair lowered into the schooner's boat as she came alongside, and gently hoisted, with the lady in it, and she was landed on the deck of the *Phæbe*.

She had a thick veil on.

The commander of the schooner drew up beside her, and Captain Curtis came forward, and the two commanders off hats and bowed.

The captain of the schooner was now gorgeous in a beautiful light blue uniform, the cloth glossy as velvet and heavy with silver, as was also his cap.

The captain led the way to the cabin. His guests followed. The ladies were duly informed, and dropped in one after another. Then the Corsair's bride removed her veil, and revealed a truly beautiful woman, in the prime of youth, with a divine complexion, and eyes almost purple, so deep was their blue.

Captain Curtis seated this dazzling creature to his right, and, to the surprise of the company, her companion immediately seated himself on her other side. The ladies looked at each other and smiled, as much as to say, "He is jealous: and no great wonder." However, they talked to her across the body of her lord, and she to them, and she was a most piquant addition to the table, and full of spirit. She seemed devoted to her companion.

For all that, she had a letter in her pocket, which she intended to confide to one of those ladies she had never seen before in all her life: and she was now quietly examining their faces and judging their voices, as she conversed with them, merely to make the best selection of a confidante she could.

The breakfast did honor to the ship, and the Corsair praised the lobster curry, and made himself very agreeable all round.

Presently one of the ladies said to Mr. Castor, "But where is Mr. Greaves?"

Castor told her he had been disabled by a shot a lubberly gunner had dropped on his foot, and was confined to his cabin.

"Oh, dear," said the lady; "poor Mr. Greaves! How unlucky he is!"

"Is it one of your officers?" asked the strange lady, quietly.

"No, ma'am: he is a queen's officer, lieutenant of the *Centaur*, going out with us as passenger."

Then the lady changed color, but said nothing, and speedily turned the conversation; but the Corsair looked black as thunder, and became rather silent all of a sudden.

The ladies rose, and invited the fair stranger to go with them.

"Please excuse her," said the Corsair, in a civil but commanding tone.

She seemed indifferent.

Soon after this an officer came in, and said, joyfully, "Wind from the *nor'-west*."

"Ah!" said the stranger; "then we must leave you, sir. Come on deck, dear."

When they got on deck, the lady said, rather pettishly, "Wind? I feel no wind." Thereupon Mr. Castor pointed out to her a dark blue line, about eight miles off, on the pale blue water.

"Oh," said she, "that is wind, is it?"

"Yes, ma'am, and a good breeze too; it will be here in twenty minutes. Why, your boat is gone! Never mind, we will take you."

"By all means," said she, aloud; then, as she turned from him, she said, in a swift whisper, "Sit near me in the boat; I've something for you."

Now this conversation passed at the head of the companion ladder, and Greaves heard the lady's voice though not the words. He started violently, huddled on his clothes, and would have hobbled on deck; but the boat was brought alongside in full view from the port window of his cabin. He heard her grate the ship's side, and opened the window just as the lady was lowered into the boat. The chair was hoisted. The lady, with her veil down as she had come, took her seat on the stern thwart,

beside her companion, Castor sitting at the helm.

"Shove off!" was the word.

Then, as they turned the boat's head round, the lady, who had seen Greaves through her veil, and had time to recognize him in spite of his beard, lifted her veil for one moment, and showed him the face of Ellen Ap Rice—that face he had loved so well, and suffered so cruelly for loving it. That face was now pale and eloquent beyond the power of words. There was self-reproach, a prayer for forgiveness, and, stranger still, a prayer to that injured friend—FOR HELP.

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### PART III.

THE boat proceeded on her way. Ellen pointed to windward, and said, "See, Edward, the dark line is ever so much nearer us."

Laxton turned his head to windward directly, and some remarks passed between him and Castor.

Ellen had counted on this: she availed herself of it to whip a letter out of her pocket, and write in pencil an address upon the envelope. This she did under a shawl upon her lap. Then she kept quiet, and waited an opportunity to do something more dangerous.

But none came. Laxton sat square with her, and could see every open movement of her hand.

They were within ten yards of the schooner, and the side manned to receive them.

Just then Laxton stood up, and cried out, "Forward there—stand by to loose the jib."

The moment he stood up, Mrs. Laxton whipped the letter out from under her shawl, and held it by her left side, but a little behind her, where nobody could see it, except Castor. She shook it in her

fingers very eloquently, to make that officer observe it. Then she leaned a little back, and held it toward him; but, with female adroitness, turned it outward in her hand, so that not one of the many eyes in the boat could see it.

A moment of agony, and then she felt fingers much larger and harder than hers take it quietly, and convey it stealthily away. Her panting bosom relieved itself of a sigh.

"What is the matter?" said the watchful Laxton.

"The matter? Nothing," said she.

"I hope," said he, "you are not sorry to return to our humble craft?"

"I have seen none to compare with her," said she, fencing boldly, but trembling to herself.

The next moment she was on board the schooner, and waited to see the boat off, and also to learn, if possible, whether Castor had her letter all safe, and would take it to its address.

To her consternation she heard Laxton invite Castor to come on board a moment.

She tried to catch Castor's eye and warn him to do nothing of the kind.

But the light-hearted officer assented at once, and was on the quarter-deck next moment.

Laxton waved the others to fall back; but Ellen would not leave them together: she was too apprehensive, knowing what she had just done.

"I have not the honor of knowing your name, sir; mine is Edward Laxton."

"Mine is Dick Castor, sir, at your service, and yours, ma'am." And he took this fair opportunity, and gave Ellen a look that made her cheeks burn, for it said, plainly, "Your letter is in safe hands."

"Well, Mr. Castor," said Laxton, "you are the sort I want on board this schooner; you are a man of nerve. Now I have never had a sailing-master yet, because I don't need one—I am an enthusiast in navigation, have studied it for years, theoretically and practically—but I want a first lieutenant, a man with nerve. What do you say, now? Five hundred a year, and a swell uniform."

"Well, sir, the duds don't tempt me; but the pay is very handsome, and the craft is a beauty."

Laxton bowed ceremoniously. "Let me add," said he gravely, "that she is the forerunner of many such vessels. At present, I believe, she is the only armed yacht afloat; but, looking at the aspect of Europe, we may reasonably hope some nice little war or other will spring up; then the *Rover* can play an honorable, and, indeed, a lucrative part. My first lieutenant's prize money will not be less, I should imagine, than twenty thousand a year; an agreeable addition to his pay, sir."

"Delightful!" said Castor. "But they sometimes hang a privateer at the yardarm; so I should be quite contented with my quiet little five hundred, and peaceful times."

"Well, then, tell 'em to sheer off, and fetch your traps."

"Yes, do, Mr. Castor," said Ellen. "You can send a line to explain." That was to get her own letter delivered, the sly thing.

Castor shook his head. "Sorry to disoblige you, ma'am, and to refuse you, sir; but things can't be done that way. A seaman must not desert his ship on her voyage. Catch me in port and make the same offer, I'll jump mast-high at it."

"Well," said Laxton, "what port are you to be caught in?"

"Why, it must be London or Hong-Kong. I shall be three months at Hong-Kong."

Laxton said he had not intended to cruise so far west as that, but he would take a note of it. "You are worth going a little out of the way for," said he.

While he was making his note, "Bang" went a gun from the *Phæbe*, and she was seen hoisting sail with great rapidity; her rigging swarmed with men.

"There, that's for us," said Castor.

"No hurry, sir," said Laxton; "he is going to tack instead of veering; she'll hang in the wind for half an hour. Forward there—hoist the flying-jib and the foretop-sel. Helm aweather! Veer the ship. Mr. Castor, bid your men hold on.

We must not part without a friendly glass."

"Oh, no," said Ellen. "I will order it."

Some of the prime Madeira was immediately brought on deck; and while they were all three drinking to each other, the impatient *Phæbe* fired another gun. But Castor took it coolly; he knew Laxton was right, and the ship could not come round on the port tack in a hurry. He drank his second glass, shook hands with Laxton, and then with Mrs. Laxton, received once more an eloquent pressure of her soft hand, and this time returned it, to give her confidence, and looked courage into her eyes, that met his anxiously. Then he put off; and though the *Phæbe* was now nearly a mile off, he easily ran alongside her before she paid off and got her head before the wind.

His mind was in a troubled state. He was dying to know what this lovely woman, who had fallen in love with him so suddenly, had written to him. But he would not open it right in sight of the schooner and so many eyes. He was a very loyal fellow.

At a good distance, he took it carefully out, and his countenance fell; for the letter was sealed, and addressed,

"Lieut. Greaves. R.N."

Here was a disappointment and a blow to the little amorous romance which Mr. Castor, who, among his other good qualities, was inflammable as tinder, had been constructing ever since the Corsair's bride first drank to him and pressed his hand.

He made a terribly wry face, looking at the letter: but he said to himself, with a little grunt, "Well, there's nothing lost that a friend gets."

As soon as he had boarded the *Phæbe*, and seen the boat replaced on the davits, the good-natured fellow ran down to Greaves's cabin, and found him sitting dejected, with his head down.

"Cheer up, Mr. Greaves," cries Castor; "luck is changed. Here is a fair wind, and every rag set, and the loveliest

woman I ever clapped eyes on has been and written you a letter; and there it is."

"It is from *her*!" cried Greaves, and began to open it, all in a tremble. "She is in trouble, Castor. I saw it in her face."

"Trouble! not she. Schooner *A1*, and money in both pockets."

"Trouble, I tell you: and great trouble, or she would never have written to me." By this time he had opened the letter, and was busied in the contents. "It wasn't to me she wrote," he sighed. "How could it be?" He read it through, and then handed it to Castor.

The letter ran thus:

"I have written this in hopes I may be able to give it to some lady on board the *Phæbe* or to one of the officers, and that something may be done to rescue me, and prevent some terrible misfortune.

"My husband is a madman. It is his mania to pass for a pirate, and frighten unarmed vessels. Only last week we fell in with a Dutch brig, and he hoisted a black flag with a white death's-head and cross-bones, and fired a shot across the Dutchman's bows. The Dutchman hove to directly, but took to his boats. Then Mr. Laxton thought he had done enough, so he fired a gun to leeward, in token of amity; but the poor Dutchman did not understand, and the crew pulled their boats toward Java Head, full ten miles off, and abandoned their ship. I told him it was too cruel: but he spoke quite harshly to me, and said that lubbers who didn't know the meaning of a gun to leeward had no business afloat. All I could persuade him to was to sail quite away, and let the poor Dutchmen see they could come back to their ship. She could not fly from them, because she was hove to.

"He tried this experiment on the *Phæbe*, and got the men to join him in it. He told me every word I was to say to the officer. The three who were put in irons had a guinea apiece for it and double grog. He only left off because the officer who came on board was such a brave man, and won his respect direct-

ly; for he is as brave as a lion himself. And that is the worst of it; if a frigate caught him playing the pirate, and fired at him, he would be sure to fire back, and court destruction.

"His very crew are so attached to him, and so highly paid—for he is extremely rich—and sailors are so reckless, that I am afraid they would fight almost anybody at a distance. But I think if they saw an officer on board in his uniform, and he spoke to them, they would come to their senses; because they are many of them men-of-war's men. But, indeed, I fear he bribed some of them out of the queen's ships; and I don't know what those fellows might not do, because they are deserters."

"It is my hope and prayer that the captain and officers of the *Phæbe* will, all of them, tell a great many other captains, especially of armed vessels, not to take the *Rover* for a real pirate, and fire on him, but to come on board, and put him under reasonable restraint for his own sake and that of others at sea.

"As for myself, I believe my own life is hardly safe. He has fits of violence which he cannot help, poor fellow, and is very sorry for afterward; but they are becoming more frequent, and he is getting worse in every way.

"But it is not for myself I write these lines, so much as to prevent wholesale mischief. I behaved ill in marrying him, and must take my chance, and perhaps pay my penalty. ELLEN LAXTON."

"Well, Castor," said Greaves, eagerly, "what shall we do? Will the captain let you take volunteers and board her?"

"Certainly not! Why, here's a fair wind, and stunsels set to catch every puff."

"For Heaven's sake, take him her letter, and try him."

"I'll do that, but it is no use."

He took the letter, and soon came back with a reply that Captain Curtis sympathized with the lady, and would make the case known to every master in his service.

"And that is all he is game for!" said



Greaves contemptuously. "Castor, lend me your arm. I can hobble on deck well enough."

He got on deck, and the schooner was three miles to leeward and full a mile astern, with nothing set but her topsails and flying-jib.

Greaves groaned aloud. "He means to part company. We shall never see her again." He groaned, and went down to his cabin again.

He was mistaken. Laxton was only giving the ship a start, in order to try rates of sailing. He set his magnificent mainsail and foresail and main-jib, and came up with the ship hand over head, the moderate breeze giving him an advantage.

Castor did not tell Greaves, for he thought it would only put him in a passion, and do no good.

So the first intimation Greaves got was at about 4 P.M. He was seated, in deep sorrow, copying his lost sweetheart's letter, in order to carry out her wishes, when the shadow of an enormous jib-sail fell on his paper. He looked up, and saw the schooner gliding majestically alongside, within pistol-shot.

He flew on deck, in spite of his lame foot, and made the wildest propositions. He wanted a broadside fired at the schooner's masts to disable her; wanted Captain Curtis to take the wind out of her sails, and run on to her, grapple her, and board her.

To all this, as might be supposed, Captain Curtis turned a deaf ear.

"Interfere, with violence, between man and wife, sir! Do you think I am as mad as he is? Attack a commander who has just breakfasted with me, merely because he has got a tile loose? Pray compose yourself, Mr. Greaves, and don't talk nonsense. I shall keep my course, and take no notice of his capers. And, Mr. Greaves, I am sorry for you—you are out of luck—but every dog has his day. Be patient, man, for God's sake, and remember you serve her majesty, and should be the last to defy the law. You should set an example, sir."

This brought that excellent officer to

his bearings, and he sat down all of a heap and was silent, but tears of agony came out of his eyes, and presently something occurred that made him start up in fury again.

For Laxton's quick eye had noticed him and his wild appeals, and he sent down for Mrs. Laxton. When she came up, he said, "My dear, there's a gentleman on deck who did not breakfast with us. There he sits abaft the mainmast, looking daggers at us. Do you know him?"

Ellen started.

"Ah, you do know him. Tell me his name."

"His name is Arthur Greaves."

"What, the same that was spooney on you when I sailed into Tenby Harbor?"

"Yes, yes. Pray spare me the sight of the man I wronged so wickedly."

"Spare you the sight, you lying devil! Why, you raised your veil to see him the better." With these words he caught her hastily round the waist with his powerful arm, and held her in that affectionate position, while he made his ironical adieux to the ship he was out-sailing.

During the above dialogue, the schooner being directly under the ship's lee, the wind was taken out of the swifter craft's sails, and the two vessels hung together a minute; but soon the schooner forged ahead, and glided gradually away, steering a more southerly course; and still those two figures were seen interlaced upon her deck, in spite of the lady's letter in Greaves's possession.

"The hell of impotence," says an old writer. Poor Greaves suffered that hell all the time the schooner ran alongside the ship, and nobody would help him board her, or grapple her, or sink her. Then was added the hell of jealousy; his eyes were blasted and his soul sickened with the actual picture of his old sweetheart embraced by her lord and master before all the world. He had her letter, addressed, though not written, to him; but Laxton had *her*, and the picture of possession was public. Greaves shook his fist at him with impotent fury, howl-

ed impotent curses at him, that everybody heard, even the ladies, who had come on deck well pleased, seeing only the surface of things, and were all aghast when Greaves came up all of a sudden, and stormed and raged at what to them was that pretty ship and justly affectionate commander: still more aghast when all this torrent came to a climax, and the strong man fell down in a fit, and was carried, gnashing and foaming and insensible, to his cabin.

On board the schooner all was not so rosy as it looked. Mrs. Laxton, quietly imprisoned by an iron hand, and forced into a pictorial attitude of affection quite out of character with her real sentiments—which at that moment were fear, repugnance, remorse, and shame—quivered and writhed in that velvet-iron embrace: her cheeks were red, at first, with burning blushes: but by degrees they became very pale; her lips quivered, and lost all color; and, soon after Greaves was carried below, her body began to collapse, and at last she was evidently about to faint; but her changeable husband looked in her face, uttered a cry of dismay, and supported her, with a world of tenderness, into the cabin, and laying her on a sofa, recovered her with all the usual expedients, and then soothed her with the tenderest expressions of solicitude and devotion.

It was not the first time his tyranny had ended in adoration and tenderness. The couple had shed many tears of reconciliation: but the finest fabric wears out in time: and the blest shade of Lord Byron must forgive me if I declare that even "Pique her and soothe by turns" may lose its charm by what Shakespeare calls "damnable iteration." The reader, indeed, might gather as much from Mrs. Laxton's reply to her husband's gushing tenderness. "There—there—I know you love me, in your way; and, if you do, please leave me in peace, for I am quite worn out."

"Queen of my soul, your lightest word is a command," said the now chivalrous spouse: impressed a delicate kiss upon her brow, and retired, backward, with a

gaze of veneration, as from the presence of his sovereign.

This sentiment of excessive veneration did not, however, last twenty-four hours. He thought the matter over, and early next morning he brought a paint-pot into the cabin, and having stirred some of his wife's mille-fleur into it, proceeded to draw, and then paint, a certain word over a small cupboard or locker in the state cabin.

Mrs. Laxton came in, and found him so employed. "What a horrid smell!" said she, pettishly. "Paint!"

"What, do you smell it?" said he, in a humble, apologetic tone. "I thought I had succeeded in disguising it with something more agreeable to the nostrils of beauty—the essence of a thousand flowers."

"You have not, then; and what *are* you doing?"

"Painting a word on this locker. A salutary word. Behold, queen of this ship and your husband's heart!" and he showed her the word "DISCIPLINE" beautifully written in large letters and in an arch.

She began to quake a little: but being high-spirited, she said, "Yes, it is a salutary word, and if it had been applied to you when a boy, it would be all the better for you now—and for me too."

"It would," said he, gravely. "But I had no true friend to correct the little faults of youth. You have. You have a husband, who knows how to sail a woman. '*Suaviter in modo, fortiter in re.*' that's the rule, when one is blessed, and honored, and tormented, with the charge of capricious beauty."

Then Mrs. Laxton took fright, and said, cajolingly, she really believed he was the wisest man upon the seas.

As he was, at all events, one of the vainest, this so gratified him that no further allusion to her faults was made that day.

The next morning two sailors had a fight for the affections of Susan Tucker, Mrs. Laxton's Welsh maid, whom he had made her color and rig out as Zulema, in that little comedy with Castor.





THIS ARTLESS SPEECH, IF ARTLESS IT WAS, BROUGHT THE MAN ON HIS KNEES TO HER.  
—The Jilt.

Thereupon Laxton complained to her, and said, "I cannot have the peace of the vessel disturbed by that hussy. I shall discharge her."

"What, into the sea, dear?" said Mrs. Laxton, rather pertly.

"No love. Though I don't see why I shouldn't launch her in an open boat, with a compass, and a loaf, and a barrel of water, and a bottle of hair oil—she uses that, the nasty little pig. That sort of thing has been done, on less provocation, to Captain Blyth, and many others. No, I shall fire across the bows of the first homeward-bound—"

Mrs. Laxton uttered a loud sigh of dismay.

—"And send that little apple of discord back to its own orchard in South Wales—he! he! he!"

This was no laughing matter to poor Mrs. Laxton. She clasped her hands. "Oh, Edward, show me some mercy! I have never been without a woman about me. Oh, pray don't let me be alone in a ship, surrounded by men, and not one woman!"

"For shame, Ellen!" said he, severely. "You are a pirate's bride, and must rise above your sex. I devote myself to your service as lady's-maid. It would be odd indeed if a man who can pass a weather earing, couldn't humble-cum-stumble a woman's stays."

"That is not it. If she goes, my life will not be safe."

"Not safe! with me to look after it!"

"No, you villain!—you hypocrite! If she goes, my life will not be safe from you." She was wild with anger and fear.

"These are hard words," said he, sorrowfully. Then, firmly, "I see the time has come for discipline;" and though his words were wondrous calm, he seized her suddenly by the nape of the neck. She uttered one scream; the next he stopped with his other hand, and she bit it to the bone; but he never winced. "Come," said he, "I'll use no unnecessary violence. '*Suaviter in modo, fortiter in re,*' is the sailing order;" and in a few moments she was bundled, struggling violently,

into the locker, and the key turned on her.

Though his hand bled freely, he kept his word, and used no unnecessary violence, provided you grant him, by way of postulate, that it was *necessary* to put her into that locker at all. Only as she fought and bit and scratched and kicked and wriggled her very best, the necessary violence was considerable.

That was her fault, not his, he conceived. He used no unnecessary violence. He now got a napkin and tied up his hand. Then he took a center-bit, and bored holes in the paneled door.

This, he informed his prisoner, was necessary. "Without a constant supply of fresh air, you would be uncomfortable; and your comfort is very dear to me."

He then remarked that she ought to have a sentinel. Respect, as well as safe custody, demanded that; and, as he was his own factotum, he would discharge that function. Accordingly, he marched past the locker, to and fro, without ceasing, till there was a knock at his cabin door, and a sail reported to leeward.

"Homeward bound?"

"Yes, sir."

"Then close up with her, and get my gig ready to board her."

When he came near her, it proved to be one of Mr. Green's tea ships; so he fired a gun to leeward, instead of sending a shot across her bows; and then he launched his gig, with Susan blubbing in the stern-sheets, and her clothes in a hammock.

The ship, for a wonder, condescended to slack her main-sheet, and the boat, being very swift, ran up to her astern, and the officer in command of the boat offered forty pounds for a passage.

They happened to want a female servant, and so they took her, with a little grumbling; and she got her fare, or the greater portion of it, paid her for wages at Southampton. So I am told, however.

The pursuit and capture of the ship, and the hoisting on board of Susan, were all reported, during their actual progress, with great bonhomie, to Mrs. Laxton,

through her air-holes, by her spouse and sentinel, and received with sobbing and sullen tears.

When the boat came back, Laxton put on a bright and cheerful air. "There," said he to his prisoner, "the bone of contention is gone, and peace is restored—nautical peace and domestic peace. Aren't you glad?"

No answer.

"Don't be sulky, dear. That shows a bad disposition, and calls for discipline. Open your mind to me. This is the cellular system, universally approved. How do you find it work? How do you feel, love? A little—subjugated—eh? Tell the truth now."

"Yes: quite subjugated," said a faint voice. "Pray let me out."

"With pleasure, dear. Why did you not ask me before?"

He opened the door, and there was the poor woman, crouched in a cupboard that only just held her, seated on the ground with her knees half way to her chin. She came out with her eyes as wild as any beast of the forest that had been caught in a trap, and tottered to a seat. She ran her white hands recklessly into her hair, and rocked herself. "Oh, my God!" she cried. "Susan gone; and I am alone with a madman! I'm a lost woman!"

Laxton pitied her distress and set himself to cool her fears. "Don't talk like that, dearest," said he; "a little discipline is wholesome. What have you to fear from a man whose sportive ensign, no doubt, is a death's-head and cross-bones; but his motto is '*Suaviter in modo, fortiter in re.*' Look here; here is an ensanguined cloth. Mine is the only blood that has been shed in our little loving encounter; the only blood that ever shall be shed between us, sweet tigress of my soul."

"Forgive me!" said she, trembling all over. "I was so frightened."

"Forgive you, dearest? Why, you know a bite from you is sweeter to me than a kiss from any other woman. It was rapturous. Bite me again, love; scratch me; beat me. Sweet, darling

Nelly, teach a brute and ruffian to dare to discipline his lovely queen."

"No, no. I won't touch you. You don't love me."

"Not love you? Ah! cruel Nelly! What man ever loved a woman as I love you?"

"Give me a proof; some better proof than locking me up in that horrid hole."

"Any proof you like."

"Take me on shore. I'm not a sailor; and I begin to pine for the land."

"Of course you do," said Laxton, who was now all indulgence. "Choose your land at once. There's Australia to leeward."

"Yes, six thousand miles. Let us go to China, and drink tea together, dear, fresh gathered."

"The desire is natural," said Laxton, like a nurse making life sweet to a refractory child. "I'll go on deck and alter her course directly. By-the-by, where did that Castor say I should find him?"

Thus, even in her deplorable condition, and just let out of prison, did a terrified but masterly woman manipulate her maniac.

But what she endured in the course of a very few days was enough to unhinge a lady for life. Laxton took to brooding, and often passed his hand over his brow with a weird, terrified look. Then she watched him with terror. On deck he went into furies about the most trifling things, and threatened his best seamen with the cat.

Ellen could hear his voice raging above, and sat trembling as his step came down the ladder after these explosions. But at the cabin door he deposited violence, and his mania took another turn. He disciplined her every day, and it seemed to cool him. She made no resistance, and they conversed amicably on different sides of the prison, she admitting that discipline was good for her mind.

After a time she would say, "Edward, I'm sorry to say this contracted position pains my limbs."

"We must provide for that. I'll build

another yacht, with more room in it—for *everything*."

"Do, dear; and, meantime, I am afraid I must ask you to let me out."

"Oh, by all means. Everything must give way to your comfort."

Unfortunately, Mr. Laxton, as his reason became weaker, set up a spy; and this fellow wormed out that one of the crew had seen Castor take a letter on the sly from Mrs. Laxton. This upset his mind altogether. He burst in upon her, looking fearful. "So you write love-letters to strangers, do you?" he roared.

"No, no. Who dares say so?"

"Who dares deny it? You were seen to give one to that Castor, a man you had only spoken to once, you false-hearted, adulterous hussy!"

"It was only a letter to my father."

"Liar! it was a love-letter. And that Greaves couldn't show his face, but you must unveil to him.—Damnation!—There! you are driving me mad. But you shall not escape, nor your paramours elect. I know where to find *them*; and *you* I've got."

The poor creature began to shiver. "I am full of faults," she whimpered. "Discipline me, dear. You will mend me in time."

"No, Judas!" roared the madman. "I have disciplined you in vain. Discipline! it is wasted on such a character. I must try EXTINCTION."

"What, would you kill me, Edward?"

"Dead as a herring."

"God have mercy on me!"

"That's *His* affair; *mine* is to see that you deceive and delude no more able navigators, and drive them mad. But don't you think I'm going to shed your blood. I'm too fond of you, traitress—viper—hussy—demon of deceit. And don't you think you shall die alone. No. You shall perish with your Castor and your Greaves, cursed triumvirate. I know where to find them both. This very day I'll catch them, and lash them to the furniture, scuttle my beloved schooner, and set the water bubbling slowly up till it sucks you all three down to the bottom. Sit down on that

ottoman, if you please, loveliest and wickedest of all God's creatures."

"I will not. I will scream if you lay a hand on me."

"In that case," said he, "you will drive me to a thing I detest, and that is violence." And he drew out a revolver.

Then she put up her quivering hands, and, pale and quaking in every limb, submitted. She sat down on the ottoman, and he produced some gold cord and fine silk cord. With the silk he tied her hair most artistically to the table, and with the gold cord he bound her hands behind her back, and reduced her to utter helplessness. This done with great care and dexterity, he bade her observe, with a sneer, that his revolver was not loaded. He loaded it and another before her eyes, and went on deck, leaving her more dead than alive.

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#### PART IV.

ALL this time the schooner had been running thirteen knots an hour before a southwest breeze, and Laxton soon saw a port under his lee, with many ships at anchor. The sight fired his poor brain; he unfurled two black pennants with a white head and crossed bones, one at each of his mastheads, and flew a similar ensign at his main-peak, and so stood in for the anchorage, like a black kite swooping into a poultry-yard.

Greaves soon came to from his fit; but he had a racking pain across the brow, and the doctor dreaded brain-fever. However, a violent bleeding relieved the sufferer, and Nature, relenting, sent this much-enduring man a long, heavy sleep, whence he awoke with an even pulse, but fell into a sullen, dogged state of mind, sustained only by some vague and not very reasonable hope of vengeance.

But now the ladies interfered; from

one to another they had picked up some of his story. He was the one hero of romance in the ship; and, his ill-luck, bodily and mental, before their eyes, their hearts melted with pity, and they came to the rescue. However timid a single lady may be, four can find courage, when acting in concert. They visited him in his cabin in pairs; they made him in one day, by division of labor, a fine cloth shoe for his bad foot; they petted him, and poured consolation on him; and one of them, Mrs. General Meredith, who had a mellow, sympathetic voice, after beating coyly about the bush a bit, wormed his whole story out of him, and instantly told it to the others, and they were quite happy the rest of the voyage, having a real live love story to talk over. Mrs. Meredith gave him her address at Hong-Kong, and made him promise to call on her.

At last they reached that port, and the passengers dispersed. Greaves went on board the *Centaur*, and was heartily welcomed.

He reported his arrival to the admiral, and fell at once into the routine of duty. He intended to confide in his good-natured friend the second mate, but was deterred by hearing that a new steam-corvette was about to be dispatched to the island to look after pirates. She was to be ready in less than a month.

Nothing was more likely than that the admiral would give the command to his flag-lieutenant. Indeed, the chances were five to one. So Greaves said to himself, "I'll hold my tongue about that madman, and then if I have the good luck to fall in with him, I can pretend to take him for a pirate, and board him, and rescue her."

So he held his tongue, and in due course it was notified to him that he was to command the corvette, as soon as her armament should be complete.

It did not escape Lieutenant Greaves that the mad cruiser might be cruising in Polynesia while he was groping the Chinese islands with his corvette. Still there was a chance; and as it seemed the only one, his sad heart clung to it. In England, time and a serious malady had

closed his wound; but the sight of Ellen's face, pale and unhappy, and the possession of her letter, which proved that she feared her husband more than she loved him, had opened his wound again, and renewed all his love and all his pain.

But while he was waiting and sickening with impatience at the delays in fitting out his corvette for service, an incident occurred that struck all his plans aside in a moment, and taught him how impossible it is for man to foresee what a single day may bring forth.

Admiral Hervey was on the quarter-deck of the *Centaur*, and a group of his officers conversing to leeward of him, at a respectful distance, when suddenly a schooner, making for the port, hoisted a black flag, with death's-head and crossbones at her mastheads and her main-peak, and came bowling in. She steered right for the *Centaur*, just shaved her stern, ran on about a cable's length, hove up in the wind, and anchored between the flagship and the port she was watching.

It really looked as if this comic pirate meant to pour his little broadside into the mighty *Centaur*, and get blown out of the water in a moment.

Then Greaves began to ask himself whether he was right not to tell the admiral all about this vessel. But while he hesitated, that worthy did not. He grinned at the absurdity of the thing, but he frowned at the impudence. "This won't do," he said. Then, turning toward his officers, "Lieutenant Greaves!"

"Sir."

"Take an armed party, and bring the master of that schooner to me."

"Ay, sir."

In a very few minutes, Lieutenant Greaves, with two boats containing armed sailors and marines, and the union-jack flying, put off from the *Centaur* and boarded the schooner.

At sight of his cocked hat, the schooner's men slunk forward and abandoned their commander. He sat aft, on a barrel of gunpowder, a revolver in each hand, and vociferated.

Greaves stepped up, and fixed his eye



on him. He was raving mad, and dangerous. Greaves ordered two stout fellows to go round him, while he advanced. Then, still fixing his eye on the maniac, he so mesmerized him that he did not notice the other assailants. At one moment they pinned him behind, and Greaves bounded on him like a cat. Bang!—bang!—went two shots, plowing the deck, and Laxton was secured and tied, and bundled, shrieking, cursing, and foaming, on board one of the boats, and taken to the flagship.

Meantime, Greaves stepped forward, and said a few words to the men: "Now then, Jack, do you want to get into trouble?"

The men's caps went off in a moment. "No, your honor; it ain't our fault."

"Then strike those ridiculous colors, and fly your union-jack at the main-peak; this schooner is under royal command for the present."

"Ay, ay, sir."

This was done in a moment, and meantime Greaves ran down the companion ladder, and knocked at the cabin door.

No answer.

Knocked again, and listened.

He heard a faint moan.

He drew back as far as he could, ran furiously at the door, and gave it such a tremendous kick with his sound foot that the lock gave way, and the door burst open.

Then the scared Ellen saw a cocked hat in the doorway, and the next moment her old lover was by her side, untying her hair, and cutting the ligatures carefully, with tender ejaculations of pity.

"Oh, Arthur!" she sobbed. "Ah! go away—he will kill us both."

"No, no; don't you be frightened. He is under arrest; and I command the schooner, by the admiral's orders. Don't tremble so, darling; it is all over. Why, you are under the guns of the flagship, and you have got me. Oh, my poor Ellen! did ever I think to see you used like this?"

So then they had a cry together; and he said everything in the world to comfort her.

But it was not to be done in a moment. The bonds were gone, but the outrage remained. "I want a woman," she cried, and hid her face. "Arthur, bring me a woman."

"That I will," said he; and seeing paper and envelopes on a table, he dashed off a line to the admiral:

"Lady on board the schooner in great distress. May I send her ashore to female friends?"

He sent the remaining boat off with this, and the answer came back directly:

"Act according to your discretion. You can go ashore."

As soon as he got this, he told Mrs. Laxton he would take her to Mrs. General Meredith, or invite that lady on board.

Mrs. Laxton said she felt unable to move; so then Greaves dispatched a midshipman in the boat, with a hasty line, and assisted Mrs. Laxton to the sofa, and holding her hand, begged her to dismiss all her fears.

She was too shaken, however, to do that, and sat crying and quivering; she seemed ashamed, too, and humiliated. So this honest fellow, thinking she would perhaps be glad if he left her, placed two marines at her cabin door, to give her confidence, and went on deck, and gave some orders, which were promptly obeyed.

But very soon he was sent for to the cabin. "Pray don't desert me," said Mrs. Laxton. "The sight of you gives me courage." After a while she said, "Ah, you return good for evil."

"Don't talk like that," said he. "Why, I am the happiest fellow afloat now. I got your letter. But I never thought I should be so happy as to rescue you."

"Happy!" said she. "I shall never be happy again. And I don't believe you will. Pray don't forget I am a married woman."

"I don't forget that."

"Married to a madman. I hope no harm will come to him."

"I will take care no harm comes to you."

Then Greaves, who had read no French novels, and respected the marriage tie, became more distant and respectful, and to encourage her, said, "Mrs. Laxton, the lady I have sent to, admired you on board the ship, and I am sure, if she gets my letter, she will do more for you than a poor fellow like me can, now you are out of danger. She is a general's wife, and was very kind to me."

"You are very good and thoughtful," said Mrs. Laxton.

Then there was an awkward silence, and it was broken by the arrival of the boat, with General Meredith and his wife.

Greaves got them on board the schooner, shook hands with the lady, and proposed to her to see Mrs. Laxton alone.

"You are right," said she.

Greaves showed her to the cabin; and I don't know all that passed, but in a very short time these ladies, who had never met but once, were kissing each other, with wet eyes.

Mrs. Meredith insisted on taking her new friend home with her. Mrs. Laxton acquiesced joyfully; and for once a basket of lady's clothes was packed in five minutes.

The boat put off again, and Greaves looked sad. So Mrs. Meredith smiled to him, and said, "You know where to find us. Don't be long."

Greaves watched the boat till it was lost among the small shipping, then placed the midshipman in charge, and went at once on board the flagship.

Here he heard the master of the schooner had been taken on the quarter-deck, and requested, civilly enough, to explain his extraordinary conduct; but he had sworn at the admiral, and called him an old woman; whereupon the admiral had not shown any anger, but had said "Clap him in irons," concluding that was what he expected and desired.

Then this doughty sailor, Greaves, who had been going to kill his rival at sight, etc., was seized with compunction the moment that rival was powerless. He

went boldly to the admiral, and asked leave to give information. He handed him Mrs. Laxton's letter.

"Oh," said the admiral, "then he is mad."

"As a March hare, sir. And I'm afraid putting him in irons will make him worse. It is a case for a lunatic asylum."

"You won't find one here; but the marine hospital has a ward for lunatics. I know that, for we had to send a foretopman there last week. I'll give you an order, and you can take him ashore at once."

Then Greaves actually took the poor wretch who had wrecked his happiness, and was now himself a wreck, on board a boat, and conveyed him to the hospital, and instructed the manager not to show him any unnecessary severity, but to guard against self-destruction.

Then he went directly to Mrs. Meredith and reported what he had done.

Mrs. Laxton, in spite of all remonstrance, would go and see her husband that night, but she found him in a strait-waistcoat, foaming and furious, and using such language, she was obliged to retire horror-stricken.

About five in the morning he burst a blood-vessel in the brain, and at noon next day all his troubles were over.

Mrs. Laxton mourned him, and buried him, and Greaves held aloof, not liking to go near her just now; for he was too frank and simple to pretend he shared her grief. Yet he had sense enough to understand that, at such a time, a generous spirit remembers only a man's good qualities; and Laxton had many; but, even when he married Ellen Ap Rice, the seeds were in him of that malady which destroyed him at last.

However, if Greaves was out of the widow's sight, he was not out of her mind, for Mrs. Meredith knew his whole tale, and told her how he had gone to Tenby, and had taken her marriage to heart, and had been at death's door in London.

At last Greaves called, having the excuse of a message from the admiral. He wished to know if Mrs. Laxton would sell

eight of her guns to the government, and also allow her sailors to be drafted into his ships, all but two, that number being sufficient to take care of her vessel in port.

Mrs. Laxton said, "I shall do nothing of the kind, without *your* advice, Arthur—Mr. Greaves. Why, how am I to get home?"

Then Greaves advised her to sell the guns, for they were worse than useless: but to part with the men only on condition that the admiral would man the schooner, "when required," with new hands, that had never played tricks at sea under her late commander.

Greaves called once or twice in the course of this negotiation, and thought Ellen had never looked so lovely as in her widow's cap. But he felt bound to abstain from making love, though he was bursting with it, and both ladies saw it, and pretended not.

But one day he came to them in great dismay, and told them the guns had been bought for the steam-corvette he was to command, and she would be ready in a week, and he should have to go on his cruise. "I am very unfortunate," said he.

The words were scarcely out of his mouth, when his friend, the second lieutenant, was announced. "Beg pardon, ladies; but here's a letter from the admiral, for Greaves; and we all hope it's promotion."

He produced an enormous letter, and, sure enough, Lieutenant Greaves was now a commander. "Hurrah!" shouted the second lieutenant, and retired.

"This would have made me very happy, once," said Greaves; then cast a despairing look at Ellen, and went off, all in a hurry, not to break down.

Then Mrs. Laxton had a cry round her friend's neck.

But next day the same Greaves came in all joyous. "I was a fool," said he. "I forgot the rule of the service. An admiral can't have two commanders. That fine fellow, who came after me with the news, is lieutenant, in my place, and I'm to go home for orders."

"Oh, I'm so glad!" said Ellen. "When must you go?"

"Oh, I dare say I might stay another fortnight or so. When are you going home, Mrs. Laxton?"

"The very first opportunity; and Mrs. Meredith is to go with me. Won't it be nice?"

"Yes," said he; "but it would be nicer if I could be third man. But no such luck for me, I suppose."

Those two ladies now put their heads together, and boarded the admiral. He knew Mrs. Meredith; but was a little surprised, though too true a tar to be displeased. They were received in his cabin, and opened their business.

Mrs. Laxton wanted to go home immediately in her schooner, and she had no crew.

"Well, madam, you are not to suffer for your civility to *us*. We will man your schooner for you in forty-eight hours."

"Oh, thank you, admiral! But the worst of it is I have no one to command her."

"No sailing-master?"

"No; my poor husband sailed her himself."

"Ay, I remember, poor fellow. Besides" (looking at the beautiful widow), "I would not trust you to a sailing-master."

"What we thought, admiral, was, that as we gave up the guns and the sailors, perhaps you would be so kind as to lend us an officer."

"What, out of Her Majesty's fleet? I could not do that. But, now I think of it, I've got the very man for you. Here's Commander Greaves going home on his promotion. He is as good an officer as any on the station."

"Oh, admiral, if *you* think so well of him, he will be a godsend to poor us."

"Well, then, he is at your service, ladies; and you could not do better."

Greaves was a proud and joyful man. "My luck has turned," said he.

He ballasted the schooner and provisioned her, at Mrs. Laxton's expense,

who had received a large sum of money for her guns. The two ladies occupied the magnificent cabin. He took a humbler berth, weighed anchor, and away for old England.

I shall not give the reader any nautical details of another voyage, but a brief sketch of things distinct from navigation that happened on board.

Mrs. Laxton was coy for some days; then friendly; then affectionate; and, off the Cape, tyrannical. "You are not the Arthur Greaves I remember," said she; "he had not a horrid beard."

"Why, I suffered for not having one," said he.

"What I mean," said she, "you do not awaken in me the associations you would but for that—appendage."

"You wish those associations awakened?"

"I don't know. Do you?"

"Indeed I do."

"Then let me see you as you used to be—Arthur."

The beard came off next morning.

"Ah!" said Mrs. Laxton, and, to do her justice, she felt a little compunction at her tyranny, and disposed to reconcile him to his loss. She was so kind to him that, at Maderia, he asked her to marry him.

"To be sure I will," said she—"some day. Why, I believe we are engaged."

"I am sure of it," said he,

"Then, of course, I *must* marry you. But there's one—little—condition."

"Must I grow a beard again?"

"No. The condition is—I am afraid you won't like it."

"Perhaps not; but I don't care if I am to be paid by marrying you."

"Well, then, it is—you must leave the service."

"Leave the service! You cannot be serious? What, just when I am on the road to the red flag at the fore! Besides, how are we to live? I have no other means at present, and I am not going to wait for dead men's shoes."

"Papa is rich, *dear*, and I can sell the yacht for a trading vessel. She is worth ten thousand pounds, I'm told."

"Oh, then, I'm to be idle, and eat my wife's bread."

"And butter, *dear*. I promise, it shall not be dry bread."

"I prefer a crust, earned like a man."

"You don't mean to say that you won't leave the service to oblige *me*, *sir*?"

"Anything else you like; but I cannot leave the service."

"Then I can't marry you, my sailor bold," chanted the tyrannical widow, and retired to her cabin.

She told Mrs. Meredith, and that lady scolded her and lectured her till she pouted and was very nearly crying.

However, she vouchsafed an explanation—"One requires change. I have been the slave of one man, and now I *must* be the tyrant of another."

Mrs. Meredith suggested that rational freedom would be a sufficient change from her condition under Laxton.

"Rational freedom!" said the widow, contemptuously; "that\* is neither one thing nor the other. I will be a slave or a tyrant. He will give in, as he did about the beard, if you don't interfere. I'll be cross one day, and affectionate the next, and all sweetness the next. He will soon find out which he likes the best, and he will give in, poor dear fellow."

I suppose that in a voyage round the world these arts might have conquered; but they sighted the Lizard, without Greaves yielding, and both were getting unhappy; so Mrs. Meredith got them to together, and proposed she should marry him, and if, in one year after marriage, she insisted on his leaving the service, he would be bound in honor to do so.

"I'm afraid that comes to the same thing," said Greaves.

"No, it does not," said Mrs. Meredith. "Long before a year she will have given up her nonsensical notion that wives can be happy tyrannizing over the man they love, and you will be master."

"Aha!" said Mrs. Laxton, "we shall see."

This being settled, Ellen suddenly appeared with her engaged ring on her finger, and was so loving that Greaves was

almost in heaven. They landed Mrs. Meredith, with all the honors, at Plymouth and telegraphed the mayor of Tenby. Next day they sailed into the Welsh harbor, and landed. They were both received with open arms by the mayor and old Dewar; and it was the happiest house in Wales.

Ellen stayed at home: but Greaves lived on board the ship till the wedding-day.

Ellen, still on the doctrine of opposition, would be cried in church, because the last time she had been married by license, and, as she had sailed away from church the first time, she would travel by land, and no further than St. David's.

They were soon back at Tenby; and she ordered Greaves to take her on board the yacht, with a black leather bag.

"Take that into the cabin, dear," said she.

Then she took some curious keys out of her pocket, and opened a secret place that nobody would have discovered. She showed him a great many bags of gold and a pile of bank-notes. "We are not so very poor, Arthur," said she. "You will have a little butter to your bread. You know I promised you should. And there is money settled on me; and he left me a great deal of money, besides, when he was in his senses, poor fellow. I could not tell before; or papa would have had it settled on me, and that lowers a husband. Being hen-pecked a *very tittle—quite privately*—does not," said she, cajolingly.

Greaves was delighted, within certain limits. "I am glad to find you are rich," said he. "But I hope you won't make me leave the service. Money is not everything."

"I promise never to discharge you from *my* service, dear. I know your value too well."

They spent a happy fortnight in Tenby as man and wife.

One day they walked on the south

sands, and somehow found themselves in Merlin's Cave.

Here Ellen sat, with her head on that faithful shoulder, and he looking down on her with inexpressible tenderness.

Presently she gave a scream, and started up, and was out of the cavern in a moment. He followed her, a little alarmed. "What is the matter?"

"Oh, Arthur, a dream! Such a dreadful one! I dreamed I played you false, and married a gentleman with a beard, and he was mad, and took me all round the world, and ill-used me, and tied me by the hair, and you rescued me; and then I found, too late, it was you I esteemed and loved, and so we were parted forever. Oh, what a dream! *And so vivid!*"

"How extraordinary!" said he. "Would you believe that I dreamed that I lost you in that very way, and was awfully ill, and went to sea again, and found you lashed to a table by your beautiful hair, and lost to me forever?"

"Poor Arthur! What a blessing it was only a dream!"

Soon after this little historical arrangement they settled in London; and Mrs. Greaves, being as beautiful as ever, and extremely rich, exerted her powers of pleasing to advance her husband's interests. The consequence is, he remains in the service, but is at present employed in the Education Department. She no longer says he must leave the service; her complaint now is that she loves him too well to govern him properly. But she is firm in this, that if he takes a command she shall go with him; and she will do it, too.

Her ripe beauty is dazzling; she is known to be rich. The young fellows look from her to her husband, and say, "What on earth could she have seen in that man to marry him?"

I wonder how many of these young swells will vie with him in earnest, and earn a lovely woman both by doing and suffering?

## THE KINDLY JEST.

THERE appear to be at present two great divisions of humorous wit—the repartee and the practical joke. Both these have an aggressive character. To begin with, the repartee—it is generally a slap in the face.

A few years ago the country possessed a master of repartee, Mr. Douglas Jerrold. Specimens of his style still survive in the memory of his contemporaries. A mediocre writer, employed on the same subject as himself, said :

“ You know, Jerrold, you and I are rowing in the same boat ! ” “ Yes,” replied the wit, “ but not with the same sculls ! ”

Another inferior artist is eating soup at the Garrick Club. He praises it to Jerrold, and tells him it is calf-tail soup. “ Av,” says Jerrold, “ extremes meet.”

These are strong specimens ; but take milder ones, still the aggressive character is there. Pecuniary calamity overtook a friend of Mr. Edmund Burke. Another friend went to console him, and, like Job’s comforters, told him it was all his own fault.

“ How could you be so unfeeling ? ” said Mr. Burke, when he heard of it.

“ Unfeeling, sir,” said the other ; “ why, I went to him directly, and poured oil into his wounds.”

“ Oil of vitriol,” says the statesman.

I need not say that a thousand examples of the kind are to be found in literature. The witty Voltaire receded with admirable dexterity from good nature into wit. He permitted himself to praise some gentleman rather warmly. His hearer said :

“ This is very good of you, for he does not speak of you with any respect—quite the reverse.” “ Ah ! ” said Voltaire,

“ *humanum est errare*. Probably we are both of us mistaken.”

An observer of witty men and their sayings, summed the matter up as follows : “ *Discur de bon-mots, mauvais caractère.* ”

Even where the wit is without personality, it does not always lose its aggressive character. See how the personages in the “ School for Scandal ” explain why wit and good-nature are so seldom united. The explanations are not bitter, but still they are biting.

Now go from this to the practical joke, which is always an attempt at humor. Dissect the practical joke. Egotism and a poverty of real wit tempt some dunce to inflict moderate pain upon another, keeping well out of it himself ; and, his being out of it and the other being in it makes him feel humorous ; and this really favors the narrow theory of Hobbes of Malmesbury, that “ laughter arises from a glorying in ourselves at some superiority over our neighbor.” The dull humorist in this style chips bristles, and strews them in his friend’s bed, or makes him up what is called an *apple-pie* bed—a wonderful corruption of *cap-à-pie*. Meantime, his bed is all right, and his heart rejoices. One of these humorists put a skeleton into a young lady’s bed, down in Somersetshire, then retired softly and awaited the result with the idiotic chuckle of a dull dog who has gone astray into humor. The result was that the lady fell screaming on the floor, was taken up insane, and ended her days in a madhouse. Another such humorist battened down the hatches of a small trading vessel in the Thames. Smoke was created somehow in the hold (I forget by what cause), and the crew, consisting of four poor

wretches, tried in vain to escape. Their very cries were stifled, and, the next day, their smoking corpses were recovered, grim monuments of a blockhead's humor.

Solomon has observed that Nature contains tremendous animals. At the head of the list he places a couple, viz., a bear robbed of her whelps, and an irritated fool. Leaving these two terrible creatures to figure cheek by jowl in the sacred page, I beg the third place for a dull man or woman trying to be witty.

Now, all this is not absolutely necessary. It is more difficult to say witty and kindly things than witty and ill-natured things; yet it is within the powers of the human understanding.

A young lady walking in her garden with Sydney Smith pointed out to him an everlasting pea, reported to blossom beautifully; "but," said she, "we have never been able to bring it to perfection." "Then," said the kindly wit, "let me bring perfection to the pea," and so led her by the hand to a closer inspection of the flower.

Coulon, a famous mimic in Louis XV.'s time, took off the king as well as his subjects. The king heard of it and insisted on seeing the imitation. He was not offended at it, and gave Coulon a fine diamond pin. Coulon looks at the pin, and says, "Coming to me, this ought to be paste, but coming from Your Majesty it is naturally a diamond." Is the element of wit extinguished here? I trow not.

Frederick the Great disbelieved in physicians, and said that invalids died oftener of their remedies than their maladies, and, as the lancet was rife in his day, probably he was not very far wrong. However, he fell sick, and the weakness of his body, I suppose, affected his mind; so he sent for a physician, Dr. Zimmermann; but at sight of him his theory revived, and his habitual good manners led him to say to Zimmermann, by way of greeting, "Now, doctor, I'll be bound to say you have sent many an honest fellow under ground." Zimmermann replied, without hesitation, "Not so many as

Your Majesty—nor with so much credit to myself."

Isn't that wit, if you please? Ay, and of a very high order. But it is possible to convert even the practical joke to amiability, and to substitute the milk of human kindness where hitherto men have dealt in adulterated vinegar. And of this I beg to offer an example.

A certain German nobleman provided his son with a tutor, who was to attend closely to him, and improve his mind. This tutor, it seems, took for his example a certain predecessor of his, who used to coach young Cyrus indoors and out: and both these tutors, each in his own country and his own generation, had the brains to see that to educate a young fellow you must not merely set him tasks to learn indoors, and then let him run wild in the open air, but must accompany him wherever he goes, and guide him with your greater experience in his practical judgment of the various events that pass before his eyes. For how shall he learn to apply an experience which he does not really possess? What a boy learns by rote is not knowledge, but knowledge's shadow.

One day these two came to the side of a wood, and there they found a tree half felled, and a pair of wooden shoes. The woodman was cooling his hot feet in a neighboring stream. The young nobleman took up a couple of pebbles, and said, "I'll put these in that old fellow's shoes, and we'll see his grimaces." "Hum!" says the tutor, "I don't think you'll get much fun out of that. You see he's a poor man, and probably thinks his lot hard enough without his having stones put into his shoes. I can't help thinking that if you were to put a little money in instead—and you have plenty of that, you know, more than I should allow you if I were your father—the old fellow would be far more flabbergasted, and his grimaces would be more entertaining, and you would be more satisfied with yourself."

The generous youth caught fire at the idea, and put a double dollar into each shoe. Then the confederates hid behind

a hedge and watched the result of their trick. They had not long to wait. An elderly man came back to his hard work—work a little beyond his years—and slipped his right foot into his right shoe. Finding something hard in it, he took it off again and discovered a double dollar. His grave face wore a look of amazement, and the spies behind the hedge chuckled. He laid the coin in the palm of his hand, and, still gazing at it with wonder, he mechanically slipped his foot into the other sabot. There he found another coin. He took it up, and holding out both his hands, gazed with wonder at them. Then he suddenly clasped his hands together, and fell on his knees, and cried out in a loud voice. "O God, this is your doing. Nobody but you knows the state we are in at home, my wife in her bed, my children starving, and I hardly able to earn a crust with these old hands. It is You who have sent me these blessed coins by one of Your angels."

Then he paused, and another idea struck him:

"Perhaps it is not an angel from heaven. There are human angels, even in this world; kind hearts that love to feed the hungry, and succor the poor. One of these has passed by, like sunshine in winter, and has seen the poor old man's shoes, and has dropped all this money into them, and gone on again, and not even waited to be thanked. But a poor man's blessing flies fast, and shall overtake him and be with him to the end of the world, and to the end of his own time. May God and His angels go with you, keep you from poverty and from sickness, and may you feel in your own heart a little of the warmth and the joy you have brought to me and mine. I'll do no more work to-day. I'll go home to my wife and children, and they shall kneel, and bless the hand that has given us this comfort, and then gone away and thought nothing of it."

He put on his shoes, shouldered his ax, and went home.

Then the spies had a little dialogue.

"This I call really good fun," said the

tutor, in rather a shaky voice: "and what are you sniveling at?"

"'Tisn't I that am sniveling so; it is you."

"Well, then, we are both sniveling," said the tutor, and with that, both being foreigners, they embraced, and did not conceal their emotion any longer.

"Come on," said the boy.

"Where next?" asked the tutor.

"Why, follow him to be sure. I want to know where he lives. Do you think I will let his wife be sick, and his children starve, after this?"

"Dear boy," said the tutor, "I don't for a moment think you will. Yours is not the age, nor the heart, that does things by halves."

So they dogged their victim home, and the young nobleman secured a modest competence from that hour to a very worthy and poverty-stricken family. Now I think that both these veins of humor might be worked to the profit of mankind, and especially of those who can contrive to be witty or humorous, yet kindly, and of those who will profit by this improved sort of humor. I have heard of an eccentric gentleman who had some poor female relations, and asked them to tea, a beverage he himself detested. He retired before the tea-drinking commenced, and watched their faces from another room. They found the cups mighty heavy, and could hardly lift the ponderous liquid. They set them down, probed the contents, and found a sediment of forty sovereigns in each cup. Each discovery being announced by little screeches, and followed by continuous cackling, the eccentric host appears to have got more fun out of it than by the vulgar process of drawing checks for the amount.

The human mind, when once the attention of many persons is given to a subject, is so ingenious, and gets so much metal out of a small vein of ore, that I feel assured, if people at home and abroad will bring their minds to bear on this subject, they may in some degree improve manners, and embellish human life with good-hearted humor and kindly jokes.



# READIANA.

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## PREFACE.

MANY people think they can discern a novelist's real opinions in his works, and, of course, when he speaks in his own person, they can. But surely the dialogue of fictitious characters must be an unsafe guide to an author's real mind; for it is the writer's business to make his characters deliver their convictions, not his, and as eloquently as possible. My good friend, Mr. Chatto, has thought it worth while to ransack the files for my personal convictions on various subjects and to publish them. In this he has consulted friendship rather than interest. However, honest and lasting convictions are worth something, and this volume contains nothing else.

I find I have gone a little beyond the mark in calling the execution of Murdoch illegal. It is not *primâ facie* illegal to hang a man who kills an officer in the discharge of his duty, but in this country law goes by precedent; Murdoch garroted the jailer, not with the intention of killing him, but of escaping while the jailer was disabled for a time. The desire for liberty is as natural and overpowering as hunger, and the prisoner acted upon it with no murderous intention whatever. He never left the neighborhood, sure proof he did not know he had killed the jailer, and he went into tears when he heard the old man was dead. The people who at that date misgoverned this nation had tempted Murdoch to the

act by leaving Hastings Jail inefficiently guarded. When they hung the youth they had tempted—hung him to hide their own fault—the spectators of the execution were fewer than ever assembled to see a hanging before or since, and the only cry that came from this handful of spectators was, "Murder! Murder!!" Just three months after this butchery, an escaped prisoner was brought before a judge; the judge was invited by the crown to inflict condign punishment; he treated the proposal with contempt. "The prisoner," said he, "yielded to the natural and imperious desire of liberty. It was his business to escape, and it was the jailer's business not to let him."

In two other matters I said too little. Colonel Baker's sentence was beyond all precedent, and the verdict hardly justified. In a court that defies the Divine law, and the laws of civilized Europe, by closing the mouth of the accused, every admission made by the prosecutor ought to have double weight. When a young lady orders a gallant colonel to hold her while she projects from a railway carriage, he is her ally in a gymnastic, not an assailant she really fears, or has grave reason to fear. *Quodcumque ostendis mihi sic incredulus odi.* The other example in which I have written below the mark, is the verdict of willful murder against Louis Staunton, Mrs. Patrick Staunton, and Alice Rhodes: a verdict bloodthirsty yet ridiculous, a verdict ob-

tained by transparent perjury in the witness-box, and prejudice, sophistry, and bad law upon the bench.

But this latter shortcoming I hope to repair, with God's help, before the two victims of perjury, sophistry, false fact, and rotten law, are slaughtered in the bloodless but effectual shambles, where the one real criminal has already perished.

CHARLES READE.

October, 1882.

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### A BRAVE WOMAN.

THE public itches to hear what people of rank and reputation do and say, however trivial. We defer to this taste: and that gives us a right to gratify our own now and then, by presenting what may be called the reverse picture, the remarkable acts, or sufferings, or qualities, of persons unknown to society, because society is a clique: and to fame, because fame is partial.

In this spirit we shall tell our readers a few facts about a person we are not likely to misjudge, for we do not know her even by sight.

31st of August, 1878, a train left Margate for London by the Chatham and Dover line. At Sittingbourne the pointsman turned the points the wrong way, and the train dashed into a shunted train at full speed. The engine, tender, and leading carriages were crushed together and piled over one another. The nearest passengers were chatting merrily one moment, and dead, dying, or mutilated, the next.

Nearest the engine was a third-class carriage, and in its furthest compartment sat a Mrs. Freeland, who in her youth had led an adventurous life in the colonies, but now in middle age had returned to mother England for peace and quiet. She felt a crash and heard a hissing, and for one moment saw the tender bursting through

the compartments toward her; then she was hurled down upon her face, with some awful weight upon her, and wedged immovable in a *débris* of fractured iron, splintered wood, shattered glass, and mutilated bodies.

In a few minutes people ran to help, but in that excited state which sometimes aggravates these dire calamities. First they were for dragging her out by force; but she was self-possessed, and said: "Pray, be calm and don't attempt it: I am fast by the legs, and a great weight on my back."

Then they were for breaking into the carriage from above: but she called to them, "Please don't do that—the roof is broken, and you don't know what you may bring down upon us."

Thus advised by the person most likely to lose her head, one would think, they effected an entrance at the sides. They removed from her back an iron wheel and a dead body, and they sawed round her jammed and lacerated limbs, and at last with difficulty carried out a lady, with her boots torn and filled with blood, her clothes in ribbons, her face pouring blood, her back apparently broken, and her right leg furrowed all down to the very foot with a gaping wound, that laid bare the sinews: besides numberless contusions and smaller injuries. They laid her on a mat upon the platform, and there she remained, refusing many offers of brandy, and waiting for a surgeon.

None came for a long time; and benevolent Nature, so-called, sent a heavy rain. At last, in three-quarters of an hour, surgeons arrived, and one of them removed her on her mat into a shed, that let in only part of the rain. He found her spine injured, took a double handful of splinters, wood, and glass, out of her head and face, and then examined her leg. He looked aghast at the awful furrow. The sufferer said quietly, "I should like a stitch or two put into that." The surgeon looked at her in amazement, "Can you bear it?" She said: "I think so."

He said she had better fortify herself with a little brandy. She objected to that

as useless. But he insisted, and the awful furrow was stitched up with silk. This done he told her she had better be moved to the infirmary at Chatham.

"Army surgeons?" said she. "No, thank you. I shall go to a London hospital."

Being immovable in this resolution, she had to wait three hours for a train.

At last she was sent up to London, lying upon a mat on the floor of a carriage, hashed, as we have described, and soaked with rain. From the London station she was conveyed on a stretcher to St. George's Hospital. There they discovered many grave injuries, admired her for her courage and wisdom in having had her wounded leg sewn up at once, but told her with regret that to be effectual it must be secured with silver points, and that without delay.

"Very well," said she patiently: "but give me chloroform, for I am worn out."

The surgeon said: "If you *could* endure it without chloroform it would be better." He saw she had the courage of ten men.

"Well," said she, "let me have somebody's hand to hold, and I will try to bear it."

A sympathizing young surgeon gave this brave woman his hand: and she bore to have the silk threads removed, and thirty little silver skewers passed and repassed through her quivering flesh, sixty wounds to patch up one. It afterward transpired that the good surgeon was only reserving chloroform for the amputation he thought must follow, having little hope of saving such a leg.

Whatever charity and science—united in our hospitals, though disunited in those dark hells where God's innocent creatures are cut up alive out of curiosity—could do, was done for her at St. George's Hospital; the wounded leg was saved, and in three weeks the patient was carried home. But the deeper injuries seemed to get worse. She lay six months on her back, and after that was lame and broken and aching from head to foot for nearly a year. As soon as

she could crawl about she busied herself in relieving the sick and the poor, according to her means.

Fifteen months after the railway accident, a new and mysterious injury began to show itself; severe internal pains accompanied with wasting, which was quite a new feature in the case. This brought her to death's door after all.

But, when faint hopes were entertained of her recovery, the malady declared itself, an abscess in the intestines. It broke, and left the sufferer prostrate, but out of danger.

Unfortunately, in about a month another formed, and laid her low again, until it gave way like its predecessor. And that has now been her life for months; constantly growing these agonizing things, of which a single one is generally fatal.

In one of her short intervals of peace a friend of hers, Major Mercier, represented to her the merits and the difficulties of a certain hospital for diseases of the skin. Instantly this brave woman sets to work and lives for other afflicted persons. She fights the good fight, talks, writes, persuades, insists, obtains the public support of five duchesses, five marchionesses, thirty-two countesses, and a hundred ladies of rank, and also of many celebrated characters: obtains subscriptions, organizes a grand bazaar, etc., for this worthy object.

Now, as a general rule, permanent invalids fall into egotism; but here is a lady, not only an invalid, but a sufferer, and indeed knocked down by suffering half her time; yet with undaunted heart, and charitable, unselfish soul, she struggles and works for others, whose maladies are after all much lighter than her own.

Ought so much misfortune and merit to receive no public notice? Ought so rare an union of male fortitude and womanly pity to suffer and relieve without a word of praise? Why to us, who judge by things, not names, this seems some heroic figure strayed out of Antiquity into an age of little men and

women, who howl at the scratch of a pen.

Such a character deserves to be sung by some Christian poet; but as poets are many and poets are few, Mrs. Rosa Freeland, brave, suffering and charitable, is chronicled in the prose of "Fact."

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### PERSEVERANCE.

ON a certain day in the year 1819, Mr. Chitty, an attorney in Shaftesbury, was leaving his office for the day, when he was met at the door by a respectable woman and a chubby-faced boy with a bright eye. He knew the woman slightly—a widow that kept a small stationer's shop in the town.

She opened her business at once.

"Oh, Mr. Chitty, I have brought you my Robert; he gives me no peace; his heart is so set on being in a lawyer's office. But there, I have not got the money to apprentice him. Only we thought perhaps you could find some place or other for him, if it was ever so small." Then she broke off and looked appealingly, and the boy's cheeks and eyes were fired with expectation.

Most country towns at that time possessed two solicitors, who might be called types: the old-established man, whose firm for generations had done the pacific and lucrative business—wills, settlements, partnerships, mortgages, etc.—and the sharp practitioner, who was the abler of the two at litigation, and had to shake the plum tree instead of sitting under it and opening his mouth for the windfalls. Mr. Chitty was No. 2.

But these sharp practitioners are often very good-natured; and so, looking at the pleading widow and the beaming boy, he felt disposed to oblige them, and rather sorry he could not. He said his was a

small office, and he had no clerk's place vacant: "and, indeed, if I had, he is too young; why he is a mere child!"

"I am twelve next so-and-so," said the boy, giving the month and the day.

"You don't look it, then," said Mr. Chitty incredulously.

"Indeed, but he is, sir," said the widow: "he never looked his age, and writes a beautiful hand."

"But I tell you I have no vacancy," said Mr. Chitty, turning dogged.

"Well, thank you, sir, all the same," said the widow, with the patience of her sex. "Come, Robert, we mustn't detain the gentleman."

So they turned away with disappointment marked on their faces, the boy's especially.

Then Mr. Chitty said in a hesitating way: "To be sure, there *is* a vacancy, but it is not the sort of thing for you."

"What is it, sir, if you please?" asked the widow.

"Well, we want an office boy."

"An office boy! What do you say, Robert? I suppose it is a beginning, sir. What will he have to do?"

"Why, sweep the office, run errands, carry papers—and that is not what he is after. Look at him—he has got that eye of his fixed on a counselor's wig, you may depend; and sweeping a country attorney's office is not the stepping-stone to that." He added warily, "at least, there is no precedent reported."

"La! sir," said the widow, "he only wants to turn an honest penny, and be among law-papers."

"Ay, ay, to write 'em and sell 'em, but not to dust 'em!"

"For that matter, sir, I believe he'd rather be the dust itself in your office than bide at home with me." Here she turned angry with her offspring for half a moment.

"And so I would," said young master stoutly, indorsing his mother's hyperbole very boldly, though his own mind was not of that kind which originates metaphors, similes, and engines of inaccuracy in general.

"Then I say no more," observed Mr.





LIFTED HER VEIL FOR ONE MOMENT, AND SHOWED HIM THE FACE OF ELLEN AP RICE.  
—*The Jilt.*

Chitty; "only mind, it is half-a-crown a week—that is all."

The terms were accepted, and Master Robert entered on his humble duties. He was steady, persevering, and pushing; in less than two years he got promoted to be a copying clerk. From this in due course he became a superior clerk. He studied, pushed and persevered, till at last he became a fair practical lawyer, and Mr. Chitty's head clerk. And so much for Perseverance.

He remained some years in this position, trusted by his employer and respected too; for besides his special gifts as a law clerk, he was strict in morals, and religious without parade.

In those days country attorneys could not fly to the metropolis and back to dinner. They relied much on London attorneys, their agents. Lawyer Chitty's agent was Mr. Bishop, a judge's clerk; but in those days a judge's clerk had an insufficient stipend, and was allowed to eke it out by private practice. Mr. Bishop was agent to several country attorneys. Well, Chitty had a heavy case coming on at the assizes, and asked Bishop to come down for once in a way and help him in person. Bishop did so, and in working the case was delighted with Chitty's managing clerk. Before leaving, he said he sadly wanted a managing clerk he could rely on. Would Mr. Chitty oblige him and part with this young man?

Chitty made rather a wry face, and said that young man was a pearl. "I don't know what I shall do without him; why, he is my *alter ego*."

However, he ended by saying generously that he would not stand in the young man's way. Then they had the clerk in and put the question to him.

"Sir," said he, "it is the ambition of my heart to go to London."

Twenty-four hours after that, our humble hero was installed in Mr. Bishop's office, directing a large business in town and country. He filled that situation for many years, and got to be well known in the legal profession. A brother of mine, who for years was one of a firm of solici-

itors in Lincoln's Inn Fields, remembers him well at this period: and to have met him sometimes in his own chambers and sometimes in Judge's Chambers; my brother says he could not help noticing him, for he bristled with intelligence, and knew a deal of law, though he looked a boy.

The best of the joke is that this clerk afterward turned out to be four years older than that solicitor who took him for a boy.

He was now among books as well as lawyers, and studied closely the principles of law, while the practice was sharpening him. He was much in the courts, and every case there cited in argument or judgment he hunted out in the books, and digested it, together with its application in practice by the living judge, who had quoted, received, or evaded it. He was a Baptist, and lodged with a Baptist minister and his two daughters. He fell in love with one of them, proposed to her, and was accepted. The couple were married without pomp, and after the ceremony the good minister took them aside, and said, "I have only £200 in the world; I have saved it a little at a time, for my two daughters. Here is your share, my children. Then he gave his daughter £100, and she handed it to the bridegroom on the spot. The good minister smiled approval and they sat down to what fine folk call breakfast, but they called dinner, and it was.

After dinner and the usual ceremonies, the bridegroom rose and surprised them a little. He said, "I am very sorry to leave you, but I have a particular business to attend to; it will take me just one hour."

Of course there was a look or two interchanged, especially by every female there present; but the confidence in him was too great to be disturbed; and this was his first eccentricity.

He left them, went to Gray's Inn, put down his name as a student for the Bar: paid away his wife's dowry in the fees, and returned within the hour.

Next day the married clerk was at the office as usual, and entered on a twofold

life. He worked as a clerk till five, dined in the hall of Gray's Inn as a sucking barrister; and studied hard at night. This was followed by a still stronger example of duplicate existence, and one without a parallel in my reading and experience—he became a writer, and produced a masterpiece, which, as regarded the practice of our courts, became at once the manual of attorneys, counsel, and judges.

The author, though his book was entitled "practice," showed some qualities of a jurist, and corrected soberly but firmly unscientific legislature and judicial blunders.

So here was a student of Gray's Inn, supposed to be picking up in that inn a small smattering of law, yet, to diversify his crude studies, instructing mature counsel and correcting the judges themselves, at whose chambers he attended daily, cap in hand, as an attorney's clerk. There's an intellectual hotch-potch for you! All this did not in his inn qualify him to be a barrister; but years and dinners did. After some weary years he took the oaths at Westminster, and vacated by that act his place in Bishop's office, and was a pauper—for an afternoon.

But work, that has been long and tediously prepared, can be executed quickly; and adverse circumstances, when Perseverance conquers them, turn round and become allies.

The ex-clerk and young barrister had plowed and sowed with such pains and labor, that he reaped with comparative ease. Half the managing clerks in London knew him and believed in him. They had the ear of their employers, and brought him pleadings to draw and motions to make. His book, too, brought him clients; and he was soon in full career as a junior counsel and special pleader. Senior counsel too found that they could rely upon his zeal, accuracy, and learning. They began to request that he might be retained with them in difficult cases, and he became first junior counsel at the Bar: and so much for Perseverance.

Time rolled its ceaseless course, and a silk gown was at his disposal. Now, a popular junior counsel cannot always afford to take silk, as they call it. Indeed, if he is learned, but not eloquent, he may ruin himself by the change. But the remarkable man, whose career I am epitomizing, did not hesitate; he still pushed onward, and so one morning the Lord Chancellor sat for an hour in the Queen's Bench, and Mr. Robert Lush was appointed one of Her Majesty's Counsel learned in the law, and then and there, by the Chancellor's invitation, stepped out from among the juniors and took his seat within the Bar. So much for Perseverance.

From this point the outline of his career is known to everybody. He was appointed in 1865 one of the judges of the Queen's Bench, and, after sitting in that court some years, was promoted to be a lord justice of appeal.

A few days ago he died, lamented and revered by the legal profession, which is very critical, and does not bestow its respect lightly.

I knew him only as queen's counsel. I had him against me once, but oftener for me, because my brother thought him even then the best lawyer and the most zealous at the Bar, and always retained him if he could. During the period I knew him personally Mr. Lush had still a plump, unwrinkled face, and a singularly bright eye. His voice was full, mellow, and penetrating; it filled the court without apparent effort, and accorded well with his style of eloquence, which was what Cicero calls the *temperatum genus loquendi*.

Reasoning carried to perfection is one of the fine arts; an argument by Lush enchained the ear and charmed the understanding. He began at the beginning, and each succeeding topic was articulated and disposed of, and succeeded by its right successor, in language so fit and order so lucid, that he rooted and grew conviction in the mind. *Tantum series nexuraque pollut.*

I never heard him at Nisi Prius, but should think he could do nothing ill, yet



would be greater at convincing judges than at persuading juries right or wrong: for at this pastime he would have to escape from the force of his own understanding; whereas I have known counsel blatant and admired, whom Nature and flippant fluency had secured against that difficulty.

He was affable to clients, and I had more than one conversation with him, very interesting to me. But to intrude these would be egotistical, and disturb the just proportions of this short notice. I hope some lawyer, who knew him well as counsel and judge, will give us his distinctive features, if it is only to correct those vague and colorless notices of him that have appeared.

This is due to the legal profession. But, after all, his early career interests a much wider circle. We cannot all be judges: but we can all do great things by the perseverance, which, from an office boy, made this man a clerk, a counsel, and a judge. Do but measure the difficulties he overcame in his business with the difficulties of rising in any art, profession, or honorable walk; and down with despondency's whine, and the groans of self-deceiving laziness. You who have youth and health, never you quail

"At those twin jailers of the daring heart,  
Low birth and iron fortune."

See what becomes of those two bugbears when the stout champion SINGLE-HEART and the giant PERSEVERANCE take them by the throat.

Why, the very year those chilling lines were first given to the public by Bulwer and Macready, Robert Lush paid his wife's dowry away to Gray's Inn in fees, and never whined nor doubted nor looked right nor left, but went straight on—and prevailed.

Genius and talent may have their bounds—but to the power of single-hearted perseverance there is no known limit.

*Non omnis mortuus est*: the departed judge still teaches from his tomb; his dicta will outlive him in our English courts; his gesta are for mankind.

Such an instance of single-heartedness, perseverance and proportionate success in spite of odds is not for one narrow island, but the globe; an old man sends it to the young in both hemispheres with this comment: If difficulties lie in the way, never shirk them, but think of Robert Lush, and trample on them. If impossibilities encounter you—up hearts and at 'em.

One thing more to those who would copy Robert Lush in all essentials. Though impregnated from infancy with an honorable ambition, he remembered his Creator in the days of his youth; nor did he forget Him, when the world poured its honors on him, and those insidious temptations of prosperity, which have hurt the soul far oftener than "low birth and iron fortune." He flourished in a skeptical age; yet he lived, and died, fearing God.

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## A HERO AND A MARTYR.

THERE is an old man in Glasgow, who has saved more than forty lives in the Clyde, many of them with great peril to his own. Death has lately removed a French hero, who was his rival, and James Lambert now stands alone in Europe. The Frenchman saved more lives than Lambert, but then he did most of his good work with a boat and saving gear. The Scot had nothing but his own active body, his rare power of suspending his breath, and his lion heart. Two of his feats far surpass anything recorded of his French competitor: he was upset in a boat with many companions, seized and dragged to the bottom, yet contrived to save nearly them all; and on another occasion, when the ice had broken under a man, and the tide had sucked him under to a distance of several yards, James Lambert dived under the ice, and groped

for the man till he was nearly breathless, and dragged him back to the hole, and all but died in saving him. Here the chances were nine to one against his ever finding that small aperture again and coming out alive. Superior in daring to his one European rival, he has yet another title to the sympathy of mankind: he is blind: and not by any irrelevant accident, but in consequence of his heroism and his goodness. He was working at a furnace one wintry day, and perspiring freely. The cry got up that a man was drowning. He flung himself, all heated as he was, into icy water, and, when he came out, he lost his sight for a time on the very bank. His sight returned: but ever after that day he was subject to similar seizures. They became more frequent, and the intervals of sight more rare, until the darkness settled down and the light retired forever.

The meaning of the word "martyr" is—a man who is punished for a great virtue by a great calamity. Every martyr in Foxe's book, or Butler's, or the "Acta Sanctorum," or the "Vitæ Patrum Occidentis," comes under that definition: but not more so than James Lambert: and the hero who risks his life in saving, is just as much a hero as he who risks his life in killing, his fellow-creatures. Therefore I do not force nor pervert words, but weigh them well, when I call James Lambert what he is—a hero and a martyr. That is a great deal to say of any one man: for all of us who are really men or women, and not, as Lambert once said to me, "mere broom-besoms in the name o' men," admire a hero, and pity a martyr, alive or dead.

In espousing this hero's cause I do but follow a worthy example. Mr. Hugh Macdonald was a Glasgow citizen, and a man known by many acts of charity and public feeling. He revealed to the Glasgow public the very existence of Burns's daughter, and awakened a warm interest in her; and in 1856 he gave the city an account of James Lambert's deeds and affliction, and asked a subscription. Glasgow responded warmly: two hundred and sixty pounds was raised, and afterward

seventy pounds. The sum total was banked, and doled to James Lambert ten shillings per week. However, the subscribers made one great mistake, they took for granted Lambert would not outlive their money: but he has.

In 1868, having read Mr. Macdonald's account, I visited Lambert and heard his story. Being now blind, and compelled to live in the past, he had a vivid recollection of his greatest deeds and told me them with spirit. I, who am a painstaking man, and owe my success to it, wrote down the particulars, and the very words that, he said, had passed on these grand occasions. Next day, I took the blind hero down to the Clyde, whose every bend he knew at that time, and made him repeat to me every principal incident on its own spot. From that day I used to send James Lambert money and clothes at odd times: but I did not write about him for years. However, in 1874, I published my narrative (entitled "A Hero and a Martyr") in the *Pull Mall Gazette*, London, the *Tribune*, New York, and a shilling pamphlet with a fine engraving of James Lambert. I invited a subscription, and, avoiding the error of the former subscribers, announced from the first that it should be directed to buying James Lambert a small annuity *for life*. The printed story flew round the world. Letters and small subscriptions poured in from every part of England, and in due course from Calcutta, from the Australian capitals, from New York, Boston, San Francisco, and even from Valparaiso in Chili. An American boy sent me a dollar from New Orleans. Two American children sent me a dollar from Chicago. A warm-hearted Glasgow man wrote to me with rapture from the State of Massachusetts, to say every word was true; he remembered blythe Jamie well, and his unrivaled reputation: remembered his saving the mill-girls, and added an incident to my narrative, that in all the horror of the scene James Lambert's voice had been heard from the bank shouting lustily, "Dinna grip my arms, lassies; hing on to my skirts." The English papers quoted





THE NEXT MOMENT HER OLD LOVER WAS BY HER SIDE, UNTYING HER HAIR.  
—*The Jilt.*

largely from the narrative and recommended the subscriptions. But, while the big world rang with praises of the Glasgow hero, and thrilled with pity for the Glasgow martyr, detractors and foes started up in a single city. And what was the name of that city? Was it Rome jealous for Regulus and Quintus Curtius? Was it Tarsus jealous for St. Paul? Was it Edinburgh, Liverpool, Paris or Washington? Oh, dear no; marvelous to relate, it was Glasgow, the city of Hugh Macdonald, the hero's own birthplace—and the town which the world honors for having produced him. These detractors deny James Lambert's exploits, or say they were few and small, not many and great. They treat his blindness and its cause as a mere irrelevant trifle, and pretend he squandered the last subscription—which is a lie, for he never had the control of it, and it lasted ten years. Scribblers who get drunk three times a week, pretend that Lambert—who, by the admission of his enemy McEwen, has not been drunk once these last five years—is an habitual drunkard, and that they, of all people, are shocked at it. Need I say that these detractors from merit and misfortune are anonymous writers in the "Glasgow Press." It does not follow they are all natives of Glasgow. Two of them, at least, are dirty little penny-a-liners from London. The public knows nothing about the Press, and is easily gulled by it. But I know all about the Press, inside and out, and shall reveal the true motive of the little newspaper conspiracy against Lambert and Reade. It is just the jealousy of the little provincial scribbler maddened by the overwhelming superiority of the national writer. I'll put the minds of these quill-drivers into words for you. "Curse it all! there was a hero and a martyr in our midst, and we hadn't the luck to spot him. [In reality they had not brains enough in their skulls nor blood enough in their hearts to spot him. But it is their creed, that superior discernment is all luck.] Then comes this cursed Englishman and hits the theme we missed. What can we pigmies do now to pass for

giants? It's no use our telling the truth and playing second fiddle. No—our only chance now, to give ourselves importance, is to hiss down both the hero and his chronicler. If we call Lambert an impostor and a drunkard, and Reade a mercenary fool, honest folk will never divine that we are ourselves the greatest drunkards, the greatest dunces and the most habitual liars in the city." That was the little game of the Glasgow penny-a-liners, and twopence a-liars; and every man in Scotland, who knows the provincial Press, saw through these catiffs at a glance. But the public is weak and credulous. Now, they might as well bay the moon as bark at me; I stand too high above their reach in the just respect of the civilized world. But they can hurt James Lambert, because he is their townsman. Therefore, I interfere and give the citizens of Glasgow the key to the Glasgow backbiters of a Glasgow hero and martyr. I add one proof that this is the true key. The exploits and the calamity of James Lambert were related by Hugh Macdonald eighteen years ago when proofs were plentiful. If they were true eighteen years ago how can they be false now? Answer me that, honest men of Glasgow, who don't scribble in papers and call black white. Can facts be true when told by a Glasgow man, yet turn false when told by an Englishman? ? ? ? ! ! Now observe—they might have shown their clannishness as nobly as they have shown it basely. There are brave men in England—many; and unfortunate men—many; whom a powerful English writer could celebrate. But no—he selects a Scotchman for his theme, and makes the great globe admire him, and moves England to pity him and provide for him. Any Scotch writer worthy of the name of Scotchman, or man, observing this, would have said: "Well, this English chap is not narrow-minded anyway. You need not be a Cockney to win his heart and gain his pen. He is warmer about this Glasgow man, than we ever knew him to be about a south countryman. It is a good example. Let us try and rise to his level, and shake hands

with the Southron over poor Jamie Lambert." This is how every Scotchman, worthy of the name, would have felt and argued. But these Glasgow scribblers are few of them Scotchmen, and none of them men. The line they have taken in vilifying a blind man, who lost his sight by benevolent heroism, is one that hell chuckles at, and man recoils from. They have disgraced the city of Glasgow and human nature itself. Whatever may be the faults of the working classes, they are MEN. Anonymous slanderers and detractors are not men—they are mere lumps of human filth. I therefore ask the operatives of Glasgow, and the manly citizens, to shake off these lumps of dirt and detraction, and aid me to take the Glasgow hero and martyr out of all his troubles.

The Frenchman I have mentioned had one great title to sympathy, whereas Lambert has two; and this is how France treated her heroic son: He lived at the public expense, but free as air. The public benefactor was not locked up and hidden from the public. His breast was emblazoned with medals, and among them shone the great national order, the Cross of the Legion of Honor, which many distinguished noblemen and gentlemen have sighed for in vain: and when he walked abroad every gentleman in the country doffed his hat to him. Thus does France treat a great saver of human lives. James Lambert lives at the public expense, but not as that Frenchman lived. It grieves my heart to say it; but the truth is, James Lambert lives unhappily. He is in an almshouse, which partakes of the character of a prison. It is a gloomy, austere place, and that class of inmates, to which he belongs, are not allowed to cross the threshold upon their own business, except once in a fortnight. But to ardent spirits loss of liberty is misery. Meanly clad, poorly fed, well imprisoned, and little respected—such is the condition of James Lambert in Glasgow, his native city. Yet he is the greatest man in that city, and one of the very few men now living in it, whose name will ring in history

a hundred years hence: the greatest saver of lives in Europe; a man whose name is even now honored in India and Australia, in the United States and Canada, and indeed from the rising to the setting sun, thanks to his own merit, the power of the pen, and the circulation of the Press—a true hero and a true martyr, glorious by his deeds and sacred by his calamity.

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## DEATH OF WINWOOD READE.

FROM THE "DAILY TELEGRAPH",  
(April 26, 1876).

WE regret to announce the death of Mr. Winwood Reade, well known as an African traveler and correspondent, and by many works of indubitable power. This remarkable man closed, on Saturday last, April 24, a laborious career, cheered with few of Fortune's smiles. As a youth he had shown a singular taste for natural science. This, however, was interrupted for some years by University studies, and afterward by an honest but unavailing attempt to master the art of Fiction, before possessing sufficient experience of life. He produced, however, two or three novels containing some good and racy scenes, unskillfully connected, and one ("See-Saw") which is a well-constructed tale. He also published an archæological volume, entitled "The Vale of Isis." The theories of M. du Chaillu as to the power and aggressive character of the gorilla inflamed Mr. Reade's curiosity and awakened his dormant genius. He raised money upon his inheritance, and set out for Africa fully equipped. He hunted the gorilla persistently, and found him an exceedingly timorous animal, inaccessible to European sportsmen in the thick jungles which he in-

habits. Mr. Reade then pushed his researches another way. On his return he published "Savage Africa," a remarkable book, both in matter and style.

After some years, devoted to general science and anonymous literature, he revisited that continent—"whose fatal fascinations," as he himself wrote, "no one having seen and suffered, can resist," and this time penetrated deep into the interior. In this expedition he faced many dangers quite alone, was often stricken down with fever, and sometimes in danger of his life from violence, and once was taken prisoner by cannibals. His quiet fortitude and indomitable will carried a naturally feeble body through it all, and he came home weak, but apparently uninjured in constitution. He now published two volumes in quick succession—"The Martyrdom of Man," and the "African Sketch-book"—both of which have met with warm admiration and severe censure.

Mr. Reade was now, nevertheless, generally recognized by men of science, and particularly by Dr. Darwin and his school. In November, 1873, he became the *Times's* correspondent in the Ashantee war, and, as usual, did not spare himself. From this, his third African expedition, he returned a broken man. The mind had been too strong for the body, and he was obliged to halt on the way home. Early in this present year, disease, both of the heart and lungs, declared itself, and he wasted away slowly but inevitably. He wrote his last work, "The Outcast," with the hand of death upon him. Two zealous friends carried him out to Wimbledon, and there, for a day or two, the air seemed to revive him; but on Friday night he began to sink, and on Saturday afternoon died, in the arms of his beloved uncle, Mr. Charles Reade.

The writer thus cut off in his prime entered life with excellent prospects; he was heir to considerable estates, and gifted with genius. But he did not live long enough to inherit the one or to mature the other. His whole public career embraced but fifteen years; yet in another

fifteen he would probably have won a great name, and cured himself, as many thinking men have done, of certain obnoxious opinions, which laid him open to reasonable censure, and also to some bitter personalities that were out of place, since truth can surely prevail without either burning or abusing men whose convictions are erroneous but honest. He felt these acrimonious comments, but bore them with the same quiet fortitude by help of which he had endured his sufferings in Africa, and now awaited the sure approach of an untimely death at home. Mr. Reade surpasses most of the travelers of his day in one great quality of a writer—style. His English, founded on historical models, has the pomp and march of words, is often racy, often picturesque, and habitually powerful yet sober; ample yet not turgid. He died in his thirty-seventh year.

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## CREMONA FIDDLES.

FROM THE "PALL MALL GAZETTE."

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### FIRST LETTER.

*August 19th. 1872.*

UNDER this heading, for want of a better, let me sing the four-stringed instruments, that were made in Italy from about 1560 to 1760, and varnished with high-colored yet transparent varnishes, the secret of which, known to numberless families in 1745, had vanished off the earth by 1760, and has now for fifty years baffled the laborious researches of violin makers, amateurs, and chemists. That lost art I will endeavor to restore to the world through the medium of your paper. But let me begin with other points of connoisseurship, illustrating them as far as possible by the specimens on show at the South Kensington Museum.

The modern orchestra uses four-stringed instruments, played with the bow: the smallest is the king; its construction is a marvel of art; and, as we are too apt to underrate familiar miracles, let me analyze this wooden paragon, by way of showing what great architects in wood those Italians were, who invented this instrument and its fellows at Brescia and Bologna. The violin itself, apart from its mere accessories, consists of a scroll or head, weighing an ounce or two, a slim neck, a thin back, that ought to be made of Swiss sycamore, a thin belly of Swiss deal, and sides of Swiss sycamore no thicker than a sixpence. This little wooden shell delivers an amount of sound that is simply monstrous; but, to do that, it must submit to a strain, of which the public has no conception. Let us suppose two Claimants to take opposite ends of a violin-string, and to pull against each other with all their weight; the tension of the string so produced would not equal the tension which is created by the screw in raising that string to concert pitch. Consider, then, that not one but four strings tug night and day, like a team of demons, at the wafer-like sides of this wooden shell. Why does it not collapse? Well, it would collapse with a crash, long before the strings reached concert pitch, if the violin was not a wonder inside as well as out. The problem was to withstand that severe pressure without crippling the vast vibration by solidity. The inventors approached the difficulty thus: they inserted six blocks of lime, or some light wood: one of these blocks at the lower end of the violin, one at the upper, and one at each corner—the corner blocks very small and triangular; the top and bottom blocks much larger, and shaped like a capital D, the straight line of the block lying close to the sides, and the curved line outward. Then they slightly connected all the blocks by two sets of linings: these linings are not above a quarter of an inch deep, I suppose, and no thicker than an old penny piece, but they connect those six blocks and help to distribute the resistance.

Even so the shell would succumb in time; but now the inventor killed two birds with one stone; he cunningly diverted a portion of the pressure by the very means that were necessary to the sound. He placed the bridge on the belly of the violin, and that raised the strings out of the direct line of tension, and relieved the lateral pressure at the expense of the belly. But as the belly is a weak arch, it must now be strengthened in its turn. Accordingly, a bass-bar was glued horizontally to the belly under one foot of the bridge. This bass-bar is a very small piece of deal, about the length and half the size of an old-fashioned lead pencil, but, the ends being tapered off, it is glued on to the belly, with a spring in it, and supports the belly magically. As a proof how nicely all these things were balanced, the bass-bar of Gasparo da Salo, the Amati, and Stradiuarius, being a little shorter and shallower than a modern bass-bar, did admirably for their day, yet will not do now. Our raised concert-pitch has clapped on more tension, and straightway you must remove the bass-bar even of Stradiuarius, and substitute one a little longer and deeper, or your Cremona sounds like a strung frying-pan.

Remove now from the violin, which for two centuries has endured this strain, the finger-board, tail-piece, tail-pin and screws—since these are the instruments or vehicles of tension, not materials of resistance—and weigh the violin itself. It weighs, I suppose, about twenty ounces: and it has fought hundredweights of pressure for centuries. A marvel of construction, it is also a marvel of sound; it is audible further off than the gigantic pianoforte, and its tones in a master's hand go to the heart of man. It can be prostituted to the performance of difficulties, and often is; but that is not its fault. Genius can make your very heart dance with it, or your eyes to fill; and Niel Gow, who was no romancer, but only a deeper critic than his fellows, when being asked what was the true test of a player, replied, "A MON IS A PLAYER WHEN HE CAN GAR HIMSEL' GREET W' HIS FIDDLE."



Asking forgiveness for this preamble, I proceed to inquire what country invented these four-stringed and four-cornered instruments?

I understand that France and Germany have of late raised some pretensions. Connoisseurship and etymology are both against them. Etymology suffices. The French terms are all derived from the Italian, and that disposes of France. I will go into German pretensions critically, if any one will show me as old and specific a German word as *viola* and *violino*, and the music composed for those German instruments. "Fiddle" is of vast antiquity; but pear-shaped, till Italy invented the four corners, on which sound as well as beauty depends.

THE ORDER OF INVENTION.—Etymology decides with unerring voice that the violoncello was invented after the *violono* or double-bass, and connoisseurship proves by two distinct methods that it was invented after the violin. 1st, the critical method: it is called after the violon, yet is made on the plan of the violin, with arched back and long inner bought. 2d, the historical method: a violoncello made by the inventors of the violin is incomparably rare, and this instrument is disproportionately rare even up to the year 1610. *Violino* being a derivative of *viola*, would seem to indicate that the violin followed the tenor; but this taken alone is dangerous; for *viola* is not only a specific term for the tenor, but a generic name that was in Italy a hundred years before a tenor with four strings was made. To go then to connoisseurship—I find that I have fallen in with as many tenors as violins by Gasparo da Salo, who worked from about 1555 to 1600, and not quite so many by Gio Paolo Maggini, who began a few years later. The violin being the king of all these instruments, I think there would not be so many tenors made as violins, when once the violin had been invented. Moreover, between the above dates came Corelli, a composer and violinist. He would naturally create a crop of violins. Finding the tenors and violins of Gasparo da Salo about equal in number, I am driven to the conclusion

that the tenor had an unfair start—in other words, was invented first. I add to this that true four-stringed tenors by Gasparo da Salo exist, though very rare, made with only two corners, which is a more primitive form than any violin by the same maker appears in. For this and some other reasons, I have little doubt the *viola* preceded the violin by a very few years. What puzzles me more is to time the violon, or, as we childishly call it (after its known descendant), the double-bass. If I was so presumptuous as to trust to my eye alone, I should say it was the first of them all. It is an instrument which does not seem to mix with these four-stringed upstarts, but to belong to a much older family—viz., the *viole d'amore*, *da gamba*, etc. In the first place it has not four strings; secondly, it has not an arched back, but a flat back, with a peculiar shoulder, copied from the *viola da gamba*; thirdly, the space between the upper and lower corners in the early specimens is ludicrously short. And it is hard to believe that an eye, which had observed the graceful proportions of the tenor and violin, could be guilty of such a wretched little inner bought as you find in a double-bass of Brescia. *Per contra*, it must be admitted first, that the sound-hole of a Brescian double-bass seems copied from the four-stringed tribe, and not at all from the elder family; secondly, that the violin and tenor are instruments of melody or harmony, but the violon of harmony only. This is dead against its being invented until after the instruments to which it is subsidiary. Man invents only to supply a want. Thus, then, it is. First, the large tenor, played between the knees; then the violon, played under the chin; then (if not the first of them all) the small double-bass; then, years after the violin, the violoncello; then the full-sized double-bass; then, *lungo intervallo*, the small tenor, played under the chin.

However, I do not advance these conclusions as infallible. The highest evidence on some of these points must surely lie in manuscript music of the sixteenth century, much of which is preserved in

the libraries of Italy; and, if Mr. Hatton or any musician learned in the history of his art will tell me for what stringed instruments the immediate predecessors of Corelli, and Corelli at his commencement marked their compositions, I shall receive the communication with gratitude and respect. I need hardly say that nothing but the MS. or the *editio princeps* is evidence in so nice a matter.

The first known maker of the true tenor, and probably of the violin, was Gasparo da Salo. The student who has read the valuable work put forth by Monsieur Féti's and Monsieur Vuillaume might imagine that I am contradicting them here; for they quote as "luthiers"—antecedent to Gasparo da Salo—Kerlino, Duifoprugcar, Linarolli, Dardelli, and others. These men, I grant you, worked long before Gasparo da Salo; I even offer an independent proof, and a very simple one. I find that their genuine tickets are in Gothic letters, whereas those of Gasparo da Salo are in Roman type; but I know the works of those makers, and they did not make tenors nor violins. They made instruments of the older family, *viole d'amore*, *da gamba*, etc. Their *true* tickets are all black-letter tickets, and not one such ticket exists in any old violin, nor in a single genuine tenor. The fact is that the tenor is an instrument of unfixed dimensions, and can easily be reconstructed out of different *viole* made in an earlier age. There are innumerable examples of this, and happily the exhibition furnishes two. There are two curious instruments strung as tenors, Nos. 114 and 134 in the catalogue: one is given to Joan Carlino, and the year 1452; the other to Linaro, and 1563. These two instruments were both made by one man, Ventura Linarolli, of Venice (misspelt by M. Féti's, Venturi), about the year 1520. Look at the enormous breadth between the sound-holes: that shows they were made to carry six or seven strings. Now look at the scrolls: both of them new, because the old scrolls were primitive things with six or seven screws; it is only by such reconstruction that a tenor or violin can be set up as anterior to Gas-

paro da Salo. No 114 is, however, a real gem of antiquity; the wood and varnish exquisite, and far fresher than nine Amatis out of ten. It is well worthy the special attention of collectors. It was played *upon* the knee.

There are in the collection two instruments by Gasparo da Salo worth especial notice; a tenor, No. 142, and a violono, or primitive double-bass, 199. The tenor is one of his later make, yet has a grand primitive character. Observe, in particular, the scroll all round, and the amazing inequality between the bass sound-hole and the purfling of the belly: this instrument and the grand tenor assigned to Maggini, and lent by Madame Risler, offer a point of connoisseurship worthy the student's attention. The back of each instrument looks full a century younger than the belly. But this is illusory. The simple fact is that the tenors of that day, when not in use, were not nursed in cases, but hung up on a nail, belly outward. Thus the belly caught the sun of Italy, the dust, etc., and its varnish was often withered to a mere resin, while the back and sides escaped. This is the key to that little mystery. Observe the scroll of the violono 199! How primitive it is all round: at the back a flat cut, in front a single flute, copied from *its true parent*, the *viola da gamba*. This scroll, taken in conjunction with the size and other points, marks an instrument considerably anterior to No. 200. As to the other double basses in the same case, they are assigned by their owners to Gasparo da Salo, because they are double purfling and look older than Cremonese violins: but these indicia are valueless; all Cremona and Milan double-purfling the violon as often as not; and the constant exposure to air and dust gives the violono a color of antiquity that is delusive. In no one part of the business is knowledge of work so necessary. The violini 201-2-3, are all fine Italian instruments. The small violin, 202, that stands by the side of the Gasparo da Salo, 199, has the purfling of Andreas Amatus, the early sound-hole of Andreas Amatus: the exquisite corners and finish

of Andreas Amatus; the finely cut scroll of Andreas Amatus; at the back of scroll the neat shell and square shoulder of Andreas Amatus; and the back, instead of being made of any rubbish that came to hand, after the manner of Brescia, is of true fiddle wood, cut the bastard way of the grain, which was the taste of the Amati; and, finally, it is varnished with the best varnish of the Amati. Under these circumstances, I hope I shall not offend the owner by refusing it the inferior name of Gasparo da Salo. It is one of the brightest gems of the collection, and not easily to be matched in Europe.

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## SECOND LETTER.

*August 24th. 1872.*

GIO PAOLO MAGGINI is represented at the Kensington Museum by an excellent violin. No. 111, very fine in workmanship and varnish, but as to the model a trifle too much hollowed at the sides, and so a little inferior to some of his violins, and to the violin No. 70, the model of which, like many of the Brescian school, is simple and perfect. (Model as applied to a violin, is a term quite distinct from outline.) In No. 70 both belly and back are modeled with the simplicity of genius, by even gradation, from the center, which is the highest part, down to all the borders of the instrument. The world has come back to this primitive model after trying a score, and prejudice gives the whole credit to Joseph Guarnerius, of Cremona. As to the date of No. 70, the neatness and, above all, the slimness of the sound-hole, mark, I think, a period slightly posterior to Gasparo da Salo. This slim sound-hole is an advance, not a retrogression. The gaping sound-holes of Gasparo da Salo and Maggini were their one great error. They were not only ugly; they lessened the ring by allowing the vibration to escape from the cavity too quickly. No. 60, assigned to Duiffoprug-

car and a fabulous antiquity, was made by some 'prentice hand in the seventeenth century; but No. 70 would adorn any collection, being an old masterpiece of Brescia or Bologna.

THE SCHOOL OF CREMONA.—Andreas Amatus was more than thirty years old, and an accomplished maker of the older viole, when the violin was invented in Brescia or Bologna. He does not appear to have troubled his head with the new instrument for some years: one proof more that new they were. They would not at first materially influence his established trade; the old and new family ran side by side. Indeed it took the violin tribe two centuries to drive out the viola da gamba. However, in due course, Andreas Amatus set to work on violins. He learned from the Brescian school the only things they could teach a workman so superior—viz., the four corners and the sound-hole. This Brescian sound-hole stuck to him all his days; but what he had learned in his original art remained by him too. The collection contains three specimens of his handiwork: Violin 202, Mrs. Jay's violin—with the modern head—erroneously assigned to Antonius and Hieronymus; and violoncello No. 183. There are also traces of his hand in the fine tenor 139. In the three instruments just named the purfling is composed in just proportions, so that the white comes out with vigor; it is then inlaid with great neatness. The violoncello is the gem. Its outline is grace itself: the four exquisite curves coincide in one pure and serpentine design. This bass is a violin soufflé: were it shown at a distance it would take the appearance of a most elegant violin; the best basses of Stradiuarius alone will stand this test. (Apply it to the Venetian masterpiece in the same case.) The scroll is perfect in design and chiseled as by a sculptor; the purfling is quite as fine as Stradiuarius: it is violin purfling, yet this seems to add elegance without meanness. It is a masterpiece of Cremona, all but the hideous sound-hole, that alone connects this master with the Brescian school.

His sons Antonius and Hieronymus

soon cured themselves of that grotesque sound-hole, and created a great school. They chose better wood and made richer varnish, and did many beautiful things. Nevertheless, they infected Italian fiddle-making with a fatal error. They were the first SCOOPERS. Having improved on Brescia in outline and details, they assumed too hastily that they could improve on her model. So they scooped out the wood about the sound-holes and all round, weakening the connection of the center with the sides of the belly, and checking the fullness of the vibration. The German school carried this vice much further, but the Amati went too far, and inoculated a hundred fine makers with a wrong idea. It took Stradiarius himself fifty-six years to get entirely clear of it.

The brothers Amati are represented in this collection, first by several tenors that once were noble things, but have been cut on the old system, which was downright wicked. It is cutting in the statutory sense; viz., cutting and maiming. These ruthless men just sawed a crescent off the top, and another off the bottom, and the result is a thing with the inner bought of a giant and the upper and lower bought of a dwarf. If one of these noble instruments survives in England uncut, I implore the owner to spare it: to play on a £5 tenor, with the Amati set before him to look at while he plays. Luckily the scrolls remain to us: and let me draw attention to the scroll of 136. Look at the back of this scroll, and see how it is chiseled—the center line in relief, how sharp, distinct, and fine: this line is obtained by chiseling out the wood on both sides with a single tool, which fiddle-makers call a gauge, and there is nothing but the eye to guide the hand.

There are two excellent violins of this make in the collection—Mrs. Jay's, and the violin of Mr. C. J. Road, No. 75. This latter is the large pattern of those makers, and is more elegant than what is technically called the grand Amati, but not so striking. To appreciate the merit and the defect of this instrument, compare it candidly with the noble Stradiarius

Amatisé that hangs by its side, numbered 82. Take a back view first. In outline they are much alike. In the details of work the Amati is rather superior: the border of the Stradiarius is more exquisite; but the Amati scroll is better pointed and gauged more cleanly, the purfling better composed for effect, and the way that purfling is let in, especially at the corners, is incomparable. On the front view you find the Amati violin is scooped out here and there, a defect the Stradiarius has avoided. I prefer the Stradiarius sound-hole *per se*; but, if you look at the curves of these two violins, you will observe that the Amati sound-holes are in strict harmony with the curves: and the whole thing the product of one original mind that saw its way.

Nicholas Amatus, the son of Hieronymus, owes his distinct reputation to a single form called by connoisseurs the Grand Amati. This is a very large violin, with extravagantly long corners, extremely fine in all the details. I do not think it was much admired at the time. At all events, he made but few, and his copyists, with the exception of Francesco Ruggier, rarely selected that form to imitate. But nowadays these violins are almost worshiped, and, as the collection is incomplete without one, I hope some gentleman will kindly send one in before it closes. There is also wanting an Amati bass, and, if the purchaser of Mr. Gillett's should feel disposed to supply that gap, it would be a very kind act. The Ruggier family is numerous: it is represented by one violin (147).

Leaving the makers of the Guarnerius family—five in number—till the last, we come to Antonius Stradiarius. This unrivaled workman and extraordinary man was born in 1644, and died in December, 1737. There is nothing signed with his name before 1667. He was learning his business thoroughly. From that date till 1736 he worked incessantly, often varying his style, and always improving, till he came to his climax, represented in this collection by the violins 83 and 87, and the violoncello 188.

He began with rather a small, short-cornered violin, which is an imitation of the small Amati, but very superior. He went on, and imitated the large Amati, but softened down the corners. For thirty years—from 1672 to 1703—he poured forth violins of this pattern: there are several in this collection, and one tenor, 139, with a plain back but a beautiful belly, and in admirable preservation. But, while he was making these Amatisé violins by the hundred, he had nevertheless his fits of originality, and put forth an anomaly every now and then; sometimes it was a very long, narrow violin with elegant drooping corners, and sometimes, in a happier mood, he combined these drooping corners with a far more beautiful model. Of these varieties No. 86 gives just an indication: no more. These lucid intervals never lasted long, he was back to his Amatis next week. Yet they left, I think, the germs that broke out so marvelously in the next century. About the year 1703 it seems to have struck him like a revelation that he was a greater man than his master. He dropped him once and forever, and for nearly twenty years poured forth with unceasing fertility some admirable works, of which you have three fine examples, under average wear, hard wear, and no wear—90, 92, 91. Please look at the three violins in this order to realize what I have indicated before—that time is no sure measure of events in this business. Nevertheless, in all these exquisite productions there was one thing which he thought capable of improvement—there was a slight residue of the scoop, especially at the lower part of the back. He began to alter that about 1720, and by degrees went to his grand model, in which there is no scoop at all. This, his grandest epoch, is represented by the Duke of Cambridge's violin, Mr. Arkwright's, and M. le Comte's: this last has the additional characteristic of the stiffer sound-hole and the wood left broad in the wing of the sound-hole. One feature more of this his greatest epoch: the purfling, instead of exactly following the

corner, is pointed across it in a manner completely original. He made these grand violins and a bass or two till about 1729: after that the grand model is confined to his violins, and the details become inferior in finish. Of this there is an example in No. 84, a noble but rough violin, in parts of which certain connoisseurs would see, or fancy they saw, the hand of Bergonzi, or of Francesco or Homobuono Stradiuarius. These workmen undoubtedly lived, and survived their father a few years. They seem to have worked up his refuse wood after his death; but their interference with his work while alive has been exaggerated by French connoisseurs. To put a difficult question briefly: their theory fails to observe the style Stradiuarius was coming to even in 1727; it also ignores the age of Stradiuarius during this his last epoch of work, and says that there exists no old man's work by Stradiuarius himself; all this old man's work is done by younger men. However, generalities are useless on a subject so difficult and disputed. The only way is to get the doubtful violins or basses and analyze them, and should the Museum give a permanent corner to Cremonese instruments, this Francesco and Homobuono question will be sifted with examples. The minutiae of work in Stradiuarius are numerous and admirable, but they would occupy too much space and are too well known to need discourse. His varnish I shall treat along with the others. A few words about the man. He was a tall, thin veteran, always to be seen with a white leathern apron and a nightcap on his head; in winter it was white wool, and in summer white cotton. His indomitable industry had amassed some fortune, and "rich as Stradiuarius" was a by-word at Cremona, but probably more current among the fiddle-makers than the bankers and merchants. His price toward the latter part of his career was four *louis d'or* for a violin: his best customers Italy and Spain. Mr. Forster assures us on unimpeachable authority that he once sent some instruments into England on sale or return, and that they

were taken back, the merchant being unable to get £5 for a violoncello. What ho! Hang all the Englishmen of that day who are alive to meet their deserts! However, the true point of the incident is, I think, missed by the narrators. The fact is that then, as now, England wanted old Cremonas, not new ones. That the Amati had a familiar reputation here and probably a ready market can be proved rather prettily out of the mouth of Dean Swift. A violin was left on a chair. A lady swept by. Her mantua caught it and knocked it down and broke it. Then the witty Dean applied a line in Virgil's "Eclogue:"

"Mantua vae miseræ nimium vicina Cremonæ."

This was certainly said during the lifetime of Stradiuarius, and proves that the Cremona fiddle had a fixed reputation; it also proves that an Irishman could make a better Latin pun than any old Roman has left behind him. Since I have diverged into what some brute calls anecdote, let me conclude this article with one that is at all events to the point, since it tells the eventful history of an instrument now on show.

THE ROMANCE OF FIDDLE DEALING.—Nearly fifty years ago a gaunt Italian called Luigi Tarisio arrived in Paris one day with a lot of old Italian instruments by makers whose names were hardly known. The principal dealers, whose minds were narrowed, as is often the case, to three or four makers, would not deal with him. M. Georges Chanot, younger and more intelligent, purchased largely, and encouraged him to return. He came back next year with a better lot; and yearly increasing his funds, he flew at the highest game; and in the course of thirty years imported nearly all the finest specimens of Stradiuarius and Guarnerius France possesses. He was the greatest connoisseur that ever lived or ever can live, because he had the true mind of a connoisseur and vast opportunities. He ransacked Italy before the tickets in the violins of Francesco Stradiuarius, Alexander Gagliano, Lorenzo Guadagnini, Giodredus Cappa, Gobetti,

Morgilato Morella, Antonio Mariani, Santo Maggini, and Matteo Benti of Brescia, Michel Angelo Bergonzi, Montagnana, Thomas Balestrieri, Storioni, Vincenzo Rugger, the Testori, Petrus Guarnerius of Venice, and full fifty more, had been tampered with, that every brilliant masterpiece might be assigned to some popular name. To his immortal credit, he fought against this mania, and his motto was "A tout seigneur tout honneur." The man's whole soul was in fiddles. He was a great dealer, but a greater amateur. He had gems by him no money would buy from him. No. 91 was one of them. But for his death you would never have cast eyes on it. He has often talked to me of it: but he would never let me see it, for fear I should tempt him.

Well, one day Georges Chanot, Senior, who is perhaps the best judge of violins left, now Tarisio is gone, made an excursion to Spain, to see if he could find anything there. He found mighty little. But, coming to the shop of a fiddle-maker, one Ortega, he saw the belly of an old bass hung up with other things. Chanot rubbed his eyes, and asked himself, was he dreaming? the belly of a Stradiuarius bass roasting in a shop-window! He went in, and very soon bought it for about forty francs. He then ascertained that the bass belonged to a lady of rank. "The belly was full of cracks; so, not to make two bites of a cherry, Ortega had made a nice new one. Chanot carried this precious fragment home and hung it up in his shop, but not in the window, for he is too good a judge not to know the sun will take all the color out of that maker's varnish. Tarisio came in from Italy, and his eye lighted instantly on the Stradiuarius belly. He pestered Chanot till the latter sold it him for a thousand francs and told him where the rest was. Tarisio no sooner knew this than he flew to Madrid. He learned from Ortega where the lady lived, and called on her to see it. "Sir," says the lady, "it is at your disposition." That does not mean much in Spain. When he offered to buy it, she coquetted with him, said it

had been long in her family ; money could not replace a thing of that kind, and in short, she put on the screw, *as she thought*, and sold it him for about four thousand francs. What he did with the Ortega belly is not known—perhaps sold it to some person in the toothpick trade. He sailed exultant for Paris with the Spanish bass in a case. He never let it out of his sight. The pair were caught by a storm in the Bay of Biscay. The ship rolled ; Tarisio clasped his bass tight, and trembled. It was a terrible gale, and for one whole day they were in real danger. Tarisio spoke of it to me with a shudder. I will give you his real words, for they struck me at the time, and I have often thought of them since—

“AH, MY POOR MR. READE, THE BASS OF SPAIN WAS ALL BUT LOST.”

Was not this a true connoisseur? a genuine enthusiast? Observe! there was also an ephemeral insect called Luigi Tarisio, who would have gone down with the bass: but that made no impression on his mind. *De minimis non curat Ludovicus.*

He got it safe to Paris. A certain high priest in these mysteries, called Vuillaume, with the help of a sacred vessel, called the glue-pot, soon re-wedded the back and sides to the belly, and the bass being now just what it was when the ruffian Ortega put his finger in the pie, was sold for 20,000 fr. (800*l.*)

I saw the Spanish bass in Paris twenty-two years ago, and you can see it any day this month you like; for it is the identical violoncello now on show at Kensington, numbered 188. Who would divine its separate adventures, to see it all reposing so calm and uniform in that case—“*Post tot naufragia tutus.*”

### THIRD LETTER.

August 27th, 1872.

“THE Spanish bass” is of the grand pattern and exquisitely made: the sound-

hole, rather shorter and stiffer than in Stradiuarius’s preceding epoch, seems stamped out of the wood with a blow, so swiftly and surely is it cut. The purfling is perfection. Look at the section of it in the upper bough of the back. The scroll extremely elegant. The belly is a beautiful piece of wood. The back is of excellent quality, but mean in the figure. The sides are cut the wrong way of the grain; a rare mistake in this master. The varnish sweet, clear, orange-colored, and full of fire. Oh, if this varnish could but be laid on the wood of the Sanctus Seraphin bass! The belly is full of cracks, and those cracks have not been mended without several lines of modern varnish clearly visible to the practiced eye.

Some years ago there was a Stradiuarius bass in Ireland. I believe it was presented by General Oliver to Signor Piatti. I never saw it; but some people tell me that in wood and varnish it surpasses the Spanish bass. Should these lines meet Signor Piatti’s eye, I will only say that, if he would allow it to be placed in the case for a single week, it would be a great boon to the admirers of these rare and noble pieces, and very instructive. By the side of the Spanish bass stands another, inferior to it in model and general work, superior to it in preservation, No. 187. The unhappy parts are the wood of the sides and the scroll. Bad wood kills good varnish. The scroll is superb in workmanship; it is more finely cut at the back part than the scroll of the Spanish bass; but it is cut out of a pear tree, and that abominable wood gets uglier if possible under varnish, and lessens the effect even of first-class work. On the other hand, the back and belly, where the varnish gets fair play, are beautiful. The belly is incomparable. Here is the very finest ruby varnish of Stradiuarius, as pure as the day it was laid on. The back was the same color originally, but has been reduced in tint by the friction this part of a bass encounters when played on. The varnish on the back is chipped all over in a manner most picturesque to

the cultivated eye; only *it must go no further*. I find on examination that these chips have all been done a good many years ago, and I can give you a fair, though of course not an exact, idea of the process. Methinks I see an old gentleman seated sipping his last glass of port in the dining-room over a shining table, whence the cloth was removed for dessert. He wears a little powder still, though no longer the fashion: he has no shirt-collar, but a roll of soft and snowy cambric round his neck, a plain gold pin, and a frilled bosom. He has a white waistcoat—snow-white like his linen: he washes at home—and a blue coat with gilt buttons. Item, a large fob or watch-pocket, whence bulges a golden turnip, and puts forth seed, to wit, a bunch of seals and watch-keys, with perhaps a gold pencil-case. One of these seals is larger than the others: the family arms are engraved on it, and only important letters are signed with it. He rises and goes to the drawing-room. The piano is opened; a servant brings the Stradivarius bass from the study; the old gentleman takes it and tunes it, and, not to be bothered with his lapels, buttons his coat, and plays his part in a quartet of Haydn or a symphony of Corelli, and smiles as he plays, because he really loves music, and is not overweighted. Your modern amateur, with a face of justifiable agony, plows the bill of Beethoven and harrows the soul of Reade. Nevertheless, my smiling senior is all the time bringing the finest and most delicate varnish of Stradivarius into a series of gentle collisions with the following objects—First, the gold pin; then the two rows of brass buttons; and last, not least, the male chatelaine of the period. There is an oval chip just off the center of this bass; I give the armorial seal especial credit for that: “à tout seigneur tout honneur.”

Take another specimen of eccentric wear: the red Stradivarius kit 88. The enormous oval wear has been done thus—It has belonged to a dancing-master, and he has clapped it under his arm fifty times a day to show his pupils the steps.

The Guarnerius family consisted of Andreas, his two sons Petrus and Joseph, his grandson Petrus Guarnerius of Venice and Joseph Guarnerius, the greatest of the family, whom Mons. Fétis considers identical with Guiseppe Antonio, born in 1683. There are, however, great difficulties in the way of this theory, which I will reserve for my miscellaneous remarks.

Andreas Guarnerius was the closest of all the copyists of the Amati; so close, indeed, that his genuine violins are nearly always sold as Amati. Unfortunately he imitated the small pattern. His wood and varnish are exactly like Amati; there is, however, a peculiar way of cutting the lower wing of his sound-holes that betrays him at once. When you find him with the border high and broad, and the purfling grand, you may suspect his son Petrus of helping him, for his own style is petty. His basses few, but fine. Petrus Guarnerius of Cremona makes violins prodigiously *bombés*, and more adapted to grumbling inside than singing out; but their appearance magnificent: a grand deep border, very noble, sound-hole and scroll Amatisé, and a deep orange varnish that nothing can surpass. His violins are singularly scarce in England. I hope to see one at the Exhibition before it closes.

Joseph, his brother, is a thorough original. His violins are narrowed under the shoulder in a way all his own. As to model, his fiddles are *bombés*, like his brother's; and, as the center has generally sunk from weakness, the violin presents a great bump at the upper part and another at the lower. The violin 97 is by this maker, and is in pure and perfect condition: but the wood having no figure, the beauty of the varnish is not appreciated. He is the king of the varnishers: he was the first man at Cremona that used red varnish oftener than pale, and in that respect was the teacher even of Stradivarius. When this maker deviates from his custom and puts really good hare-wood into a violin, then his glorious varnish gets fair play, and *nothing can live beside him*. The other day a violin



of this make with fine wood, but undersized, was put up at an auction without a name. I suppose nobody knew the maker, for it was sold on its merits, and fetched £160. I brought that violin into the country; gave a dealer £24 for it in Paris.

He made a very few flatter violins, that are worth any money.

Petrus Guarnerius, the son of this Joseph, learned his business in Cremona, but migrated early to Venice. He worked there from 1725 to 1746. He made most beautiful tenors and basses, but was not so happy in his violins. His varnish very fine, but paler than his father's.

Joseph Guarnerius, of Cremona, made violins from about 1725 to 1745. His first epoch is known only to connoisseurs; in *outline* it is hewed out under the shoulder like the fiddles of Joseph, son of Andrew, who was then an old fiddle-maker; but the *model* all his own; even, regular, and perfect. Sound-hole long and characteristic, head rather mean for him; he made but few of these essays, and then went to a different and admirable style, a most graceful and elegant violin, which has been too loosely described as a copy of Stradiuarius; it is not that, but a fine violin in which a downright good workman profits by a great contemporary artist's excellences, yet without servility. These violins are not longer nor stiffer in the inner bought than Stradiuarius: they are rather narrow than broad below, cut after the plan of Stradiuarius, though not so well, in the central part, the sound-holes exquisitely cut, neither too stiff nor too flowing, the wood between the curves of the sound-holes *remarkably broad*. The scroll grandiose, yet well-cut, and the nozzle of the scroll and the little platform. They are generally purfled through both pegs, like Stradiuarius; the wood very handsome, varnish a rich golden brown. I brought three of this epoch into the country; one was sold the other day at Christie's for £260 (bought, I believe, by Lord Dunmore), and is worth £350 as prices go. This epoch, unfortunately, is not yet represented in the collection.

The next epoch is nobly represented by 93, 94, 95. All these violins have the broad center, the grand long inner bought, stillish yet not ungraceful, the long and rather upright sound-hole, but well cut; the grand scroll, cut all in a hurry, but noble. 93 is a little the grander in make, I think; the purfling being set a hair's breadth further in, the scroll magnificent; but observe the haste—the deep gauge-marks on the side of the scroll; here is already an indication of the slovenliness to come: varnish a lovely orange, wood beautiful; two cracks in the belly, one from the chin-mark to the sound-hole. 94 is a violin of the same make, and without a single crack; the scroll is not quite so grandiose as 93, but the rest incomparable; the belly pure and beautiful, the back a picture. There is nothing in the room that equals in picturesqueness the colors of this magnificent piece: time and fair play have worn it thus; first, there is a narrow irregular line of wear caused by the hand in shifting, next comes a sheet of ruby varnish, with no wear to speak of; then an irregular piece is worn out the size of a sixpence; then more varnish; then, from the center downward, a grand wear, the size and shape of a large curving pear: this ends in a broad zigzag ribbon of varnish, and then comes the bare woods caused by the friction in playing, but higher up to the left a score of great bold chips. It is the very beautiful of the red Cremona violin, adorned, not injured, by a century's fair wear. No. 95 is a roughish specimen of the same epoch, not so brilliant, but with its own charm. Here the gauge-marks of impatience are to be seen in the very border, and I should have expected to see the stiff-throated scroll, for it belongs to this form.

The next epoch is rougher still, and is generally, but not always, higher built, with a stiff-throated scroll, and a stiff, quaint sound-hole that is the delight of connoisseurs; and such is the force of genius that I believe in our secret hearts we love these impudent fiddles best—they are so full of chic. After that, he abuses the patience of his admirers: makes his

fiddles of a preposterous height, with sound-holes long enough for a tenor; but, worst of all, indifferent wood and downright bad varnish—varnish worthy only of the Guadagnin tribe, and not laid on by the method of his contemporaries. Indeed, I sadly fear it was this great man who, by his ill-example in 1740-45, killed the varnish of Cremona. Thus—to show the range of the subject—out of five distinct epochs in the work of this extraordinary man we have only one and a half, so to speak, represented even in this noble collection—the greatest by far the world has ever seen: but I hope to see all these gaps filled, and also to see in the collection a Stradiarius violin of that kind I call the dolphin-backed. This is a mere matter of picturesque wear. When a red Stradiarius violin is made of soft velvet wood, and the varnish is just half worn off the back in a rough triangular form, that produces a certain beauty of light and shade which is in my opinion the *ne plus ultra*. These violins are rare. I never had but two in my life. A very obliging dealer, who knows my views, has promised his co-operation, and I think England, which cuts at present rather too poor a figure in respect of this maker, will add a dolphin-backed Stradiarius to the collection before it is dispersed.

CARLO BERGONZI, if you go by gauging and purfling, is of course an inferior make to the Amati; but, if that is to be the line of reasoning, he is superior to Joseph Guarnerius. We ought to be in one story: if Joseph Guarnerius is the second maker of Cremona, it follows that Carlo Bergonzi is the third. Fine size, reasonable outline, flat and even model, good wood, work, and varnish, and an indescribable air of grandeur and importance. He is quite as rare as Joseph Guarnerius. Twenty-five years ago I ransacked Europe for him—for he is a maker I always loved—and I could obtain but few. No. 109 was one of them, and the most remarkable, take it altogether. In this one case he has really set himself to copy Stradiarius. He has composed his purfling in the same pro-

portions, which was not at all his habit. He has copied the sound-hole closely, and has even imitated that great man's freak of delicately hollowing out the lower wood-work of the sound-hole. The varnish of this violin is as fine in color as any pale Stradiarius in the world, and far superior in body to most of them; but that is merely owing to its rare preservation. Most of these pale Stradiariuses, and especially Mrs. Jay's and No. 86, had once varnish on them as beautiful as is now on this *chef-d'œuvre* of Carlo Bergonzi.

Monsieur Fétis having described Michael Angelo Bergonzi as a pupil of Stradiarius, and English writers having blindly followed him, this seems a fit place to correct that error. Michael Angelo Bergonzi was the son of Carlo; began to work after the death of Stradiarius, and imitated nobody but his father—and him vilely. His corners are not corners, but peaks. See them once, you never forget them: but you pray Heaven you may never see them again. His ticket runs, "Michel Angelo Bergonzi figlio di Carlo, fece nel Cremona," from 1750 to 1780. Of Nicholas, son of Michael Angelo, I have a ticket dated 1796, but he doubtless began before that and worked till 1830. He lived till 1838, was well known to Tarisio, and it is from him alone we have learned the house Stradiarius lived in. There is a tenor by Michael Angelo Bergonzi to be seen at Mr. Cox, the picture dealer, Pall Mall, and one by Nicholas, in Mr. Chantot's shop, in Wardour Street. Neither of these Bergonzi knew how their own progenitor varnished any more than my housemaid does.—

STAINER, a mixed maker. He went to Cremona too late to unlearn his German style, but he moderated it, and does not scoop so badly as his successors. The model of his tenor, especially the back, is very fine. The peculiar defect of it is that it is purfled too near the border, which always gives meanness. This is the more unfortunate, that really he was freer from this defect than his imitators. He learned to varnish in Cremona, but his varnish is generally paler than the

native Cremonese. This tenor is exceptional: it has a rose-colored varnish that nothing can surpass. It is lovely.

SANCTUS SERAPHIN.—This is a true Venetian maker. The Venetian born was always half-Cremonese, half-German. In this bass, which is his uniform style, you see a complete mastery of the knife and the gauge. Neither the Stradivarius nor the Amati ever purfled a bass more finely, and, to tell the truth, rarely so finely. But oh! the miserable scroll, the abominable sound-hole! Here he shows the cloven foot, and is more German than Stainer. Uniformity was never carried so far as by this natty workman; one violin exactly like the next: one bass the image of its predecessor. His varnish never varies. It is always slightly opaque. This is observed in his violins, but it escapes detection in his basses, because it is but slight, after all, and the wonderful wood he put into his basses, shines through that slight defect and hides it from all but practiced eyes. He had purchased a tree or a very large log of it; for this is the third bass I have seen of this wonderful wood. Nowadays you might cut down a forest of sycamore and not match it; those veteran trees are all gone. He has a feature all to himself; his violins have his initials in ebony let into the belly under the broad part of the tail-piece. This natty Venetian is the only old violin maker I know who could write well. The others bungle that part of the date they are obliged to write in the tickets. This one writes it in a hand like copperplate, whence I suspect he was himself the engraver of his ticket, which is unique. It is four times the size of a Cremonese ticket, and has a scroll border composed thus:—The sides of a parallelogram are created by four solid lines like the sound-holes; these are united at the sides by two leaves and at the center by two shells. Another serpentine line is then coiled round them at short intervals, and within the parallelogram the ticket is printed:

Sanctus Seraphin Utinensis,  
Fecit Venetis, anno 17—.

THE MIGHTY VENETIAN.—I come now to a truly remarkable piece, a basso di camera that comes modestly into the room without a name, yet there is nothing except No. 91 that sends such a thrill through the true connoisseur. The outline is grotesque but original, the model full and swelling but not bumpy, the wood detestable; the back is hare-wood, but without a vestige of figure: so it might just as well be elm: the belly, instead of being made of mountain deal grown on the sunny side of the Alps, is a piece of house timber. Now these materials would kill any other maker; yet this mighty bass stands its ground. Observe the fiber of the belly; here is the deepest red varnish in the room, and laid on with an enormous brush. Can you see the fiber through the thin varnish of Sanctus Seraphin as plainly as you can see the fiber through this varnish laid on as thick as paint? So much for clearness. Now for color. Let the student stand before this bass, get the varnish in his mind, and then walk rapidly to any other instrument in the room he has previously determined to compare with it. This will be a revelation to him if he has eyes in his head.

And this miracle comes in without a name, and, therefore, is passed over by all the sham judges. And why does it come without a name? I hear a French dealer advised those who framed the catalogue. But the fact is that if a man once narrows his mind to three or four makers, and imagines they monopolize excellence, he never can be a judge of old instruments, the study is so wide and his mind artificially narrowed. Example of this false method: Mr. Faulconer sends in a bass, which he calls Andreas Guarnerius. An adviser does not see that, and suggests "probably by Amati." Now there is no such thing as "*probably* by Amati," any more than there is probably the sun or the moon. That bass is by David Tecchler, of Rome: but it is a masterpiece; and so, because he has done better than usual, the poor devil is to be robbed of his credit, and it is to be given, first to one maker *who is in the*

ring and then to another, *who is in the ring*. The basso di camera, which, not being in the ring, comes without a name, is by Domenico Montagnana of Venice, the greatest maker of basses in all Venice or Cremona except one. If this bass had only a decent piece of wood at the back, it would extinguish all the other basses. But we can remedy that defect. Basses by this maker exist with fine wood. Mr. Hart, senior, sold one some twenty years ago with yellow varnish, and wood striped like a tiger's back. Should these lines meet the eye of the purchaser, I shall feel grateful if he will communicate with me thereupon.

I come now to the last of the Goths, thus catalogued, No. 100, "ascribed to Guarnerius. Probably by Storioni."

Lorenzo Storioni is a maker who began to work at Cremona about 1780. He has a good model but wretched spirit varnish. Violin No. 100 is something much better. It is a violin made before 1760 by Landolfo of Milan. He is a maker well known to experienced dealers who can take their minds out of the ring, but, as the *writers* seem a little confused, and talk of two Landulphs, a Charles and a Ferdinand, I may as well say here that the two are one. This is the true ticket:—

Carolus Ferdinandus Landulphus,  
fecit Mediolani in via S. Mar-  
garitæ, anno 1756.

Stiff inner bought really something like Joseph Guarnerius; but all the rest quite unlike: scroll very mean, varnish good, and sometimes very fine. Mr. Moore's, in point of varnish, is a fine specimen. It has a deeper, nobler tint than usual. This maker is very interesting, on account of his being absolutely the last Italian who used the glorious varnish of Cremona. It died first at Cremona: lingered a year or two more at Venice: Landolfo retained it at Milan till 1760, and with him it ended.

In my next and last article I will deal with the varnish of Cremona, as illustrated by No. 91 and other specimens, and will enable the curious to revive that lost art if they choose.

#### FOURTH LETTER.

August 31st. 1872.

THE fiddles of Cremona gained their reputation by superior tone, but they hold it now mainly by their beauty. For thirty years past violins have been made equal in model to the *chef-d'œuvres* of Cremona, and stronger in wood than Stradiuarius, and more scientific than Guarnerius in the thicknesses. This class of violin is hideous, but has one quality in perfection—POWER; while the masterpieces of Cremona eclipse every new violin in sweetness, oiliness, crispness, and volume of tone as distinct from loudness. Age has dried their vegetable juices, making the carcass much lighter than that of a new violin, and those light dry frames vibrate at a touch.

But M. Fétis goes too far when he intimates that Stradiuarius is louder as well as sweeter than Lupot, Gand, or Bernardel. Take a hundred violins by Stradiuarius and open them; you find about ninety-five patched in the center with new wood. The connecting link is a sheet of glue. And is glue a fine resonant substance? And are the glue and the new wood of John Bull and Jean Crapaud transmogrified into the wood of Stradiuarius by merely sticking on to it? Is it not extravagant to quote patched violins as beyond rivalry in all the qualities of sound? How can they be the loudest, when the center of the sound-board is a mere sandwich, composed of the maker's thin wood, a buttering of glue, and a huge slice of new wood?

Joseph Guarnerius has plenty of wood; but his thicknesses are not always so scientific as those of the best modern fiddlemakers: so that even he can be rivaled in power by a new violin, though not in richness and sweetness. Consider, then, these two concurrent phenomena, that for twenty-five years new violins have been better made for sound than they ever were made in this world, yet old Cremona violins have nearly doubled in price, and, you will divine, as the truth is, that old fiddles are not bought by the

ear alone. I will add that 100 years ago, when the violins of Brescia and of Stradiuarius and Guarnerius were the only well-modeled violins, they were really bought by the ear, and the prices were moderate. Now they are in reality bought by the eye, and the price is enormous. The reason is that their tone is good but their appearance inimitable; because the makers chose fine wood and laid on a varnish highly colored, yet clear as crystal, with this strange property—it becomes far more beautiful by time and usage: it wears softly away, or chips boldly away, in such forms as to make the whole violin picturesque, beautiful, various and curious.

To approach the same conclusion by a different road—No. 94 is a violin whose picturesque beauty I have described already; twenty-five years ago Mr. Plowden gave £450 for it. It is now, I suppose, worth £500. Well, knock that violin down and crack it in two places, it will sink that moment to the value of the "violin du diable," and be worth £350. But collect twenty amateurs all ready to buy it, and, instead of cracking it, dip it into a jar of spirits and wash the varnish off. Not one of those customers will give you above £40 for it; nor would it in reality be worth quite so much in the market. Take another example. There is a beautiful and very perfect violin by Stradiuarius, which the *Times*, in an article on these instruments, calls La Messie. These leading journals have private information on every subject, even grammar. I prefer to call it—after the very intelligent man to whom we owe the sight of it—the Vuillaume Stradiuarius. Well, the Vuillaume Stradiuarius is worth, as times go, £600 at least. Wash off the varnish, it would be worth £35; because, unlike No. 94, it has one little crack. As a further illustration that violins are heard by the eye, let me remind your readers of the high prices at which numberless copies of the old makers were sold in Paris for many years. The inventors of this art undertook to deliver a new violin, that in usage and color of the worn parts should be exactly like an

old and worn violin of some favorite maker. Now, to do this with white wood was impossible; so the wood was baked in the oven or colored yellow with the smoke of sulphuric acid, or so forth, to give it the color of age; but these processes kill the wood as a vehicle of sound; and these copies were, and are, the worst musical instruments Europe has created in this century; and, bad as they are at starting, they get worse every year of their untuneful existence; yet, because they flattered the eye with something like the light and shade and picturesqueness of the Cremona violin, these pseudo-antiques, though illimitable in number, sold like wildfire; and hundreds of self-deceivers heard them by the eye, and fancied these tinpots sounded divinely. The hideous red violins of Bernardel-Gand, and an English maker or two, are a reaction against those copies; they are made honestly with white wood, and they will, at all events, improve in sound every year and every decade. It comes to this, then, that the varnish of Cremona, as operated on by time and usage, has an inimitable beauty, and we pay a high price for it in second-class makers, and an enormous price in a fine Stradiuarius or Joseph Guarnerius. No wonder, then, that many violin-makers have tried hard to discover the secret of this varnish; many chemists have given days and nights of anxious study to it. More than once, even in my time, hopes have run high, but only to fall again. Some have even cried Eureka! to the public: but the moment others looked at their discovery and compared it with the real thing, "inextinguishable laughter shook the skies." At last despair has succeeded to all that energetic study, and the varnish of Cremona is sullenly given up as a lost art.

I have heard and read a great deal about it, and I think I can state the principal theories briefly, but intelligibly.

1. It used to be stoutly maintained that the basis was amber; that these old Italians had the art of infusing amber

without impairing its transparency; once fused, by dry heat, it could be boiled into a varnish with oil and spirit of turpentine and combined with transparent yet lasting colors. To convince me, they used to rub the worn part of a Cremona with their sleeves, and then put the fiddle to their noses, and smell amber. Then I, burning with love of knowledge, used to rub the fiddle very hard and whip it to my nose, and not smell amber. But that might arise in some measure from there not being any amber there to smell. (N. B.—These amber-seeking worthies never rubbed the colored varnish on an old violin. Yet their theory had placed amber there.)

2. That time does it all. The violins of Stradiuarius were raw, crude things at starting, and the varnish rather opaque.

3. Two or three had the courage to say it was spirit varnish, and alleged in proof that if you drop a drop of alcohol on a Stradiuarius, it tears the varnish off as it runs.

4. The far more prevalent notion was that it is an oil varnish, in support of which they pointed to the rich appearance of what they call the bare wood, and contrasted the miserable hungry appearance of the wood in all old violins known to be spirit varnished — for instance, Nicholas Gagliano, of Naples, and Jean Baptiste Guadagnini, of Piacenza, Italian makers contemporary with Joseph Guarnerias.

5. That the secret has been lost by adulteration. The old Cremonese and Venetians got pure and sovereign gums, that have retired from commerce.

Now, as to theory No. 1.—Surely amber is too dear a gum and too impracticable for two hundred fiddle-makers to have used in Italy. Till fused by dry heat it is no more soluble in varnish than quartz is; and who can fuse it? Copal is inclined to melt, but amber to burn, to catch fire, to do anything but melt. Put the two gums to a lighted candle, you will then appreciate the difference. I tried more than one chemist in the fusing of amber; it came out of their hands

a dark brown opaque substance, rather burned than fused. When really fused it is a *dark olive green, as clear as crystal*. Yet I never knew but one man who could bring it to this, and he had special machinery, invented by himself, for it; in spite of which he nearly burned down his house at it one day. I believe the whole amber theory comes out of a verbal equivoque; the varnish of the Amati was called amber to mark its rich color, and your *à priori* reasoners went off on that, forgetting that amber must be an inch thick to exhibit the color of amber. By such reasoning as this Mr. Davidson, in a book of great general merit, is misled so far as to put down powdered glass for an ingredient in Cremona varnish. Mark the logic. Glass in a sheet is transparent; so if you reduce it to powder it will add transparency to varnish. Imposed on by this chimera, he actually puts powdered glass, an opaque and insoluble sediment, into four receipts for Cremona varnish.

But the theories 2, 3, 4, 5 have all a good deal of truth in them: their fault is that they are too narrow, and too blind to the truth of each other. IN THIS, AS IN EVERY SCIENTIFIC INQUIRY, THE TRUE SOLUTION IS THAT WHICH RECONCILES ALL THE TRUTHS THAT SEEM AT VARIANCE.

The way to discover a lost art, once practiced with variations by a hundred people, is to examine very closely the most brilliant specimen, the most characteristic specimen, and, indeed, the most extravagant specimen—if you can find one. I took that way, and I found in the chippiest varnish of Stradiuarius, viz., his dark red varnish, the key to all the varnish of Cremona, red or yellow. (N.B.—The yellow always beat me dead, till I got to it by this detour.) There is no specimen in the collection of this red varnish so violent as I have seen; but Mr. Pawle's bass, No. 187, will do. Please walk with me up to the back of that bass, and let us disregard all hypotheses and theories, and use our eyes. What do we see before us? A bass with a red varnish that chips very readily off what people call the bare wood. But never mind what

these echoes of echoes call it. What *is* it? It is not bare wood. Bare wood turns a dirty brown with age. This is a rich and lovely yellow. By its color and its glassy gloss, and by disbelieving what echoes say and trusting only to our eyes, we may see at a glance it is not bare wood, but highly varnished wood. This varnish is evidently oil, and contains a gum. Allowing for the tendency of oil to run into the wood, I should say *four coats of oil varnish*: and this they call the bare wood. We have now discovered the first process: a clear oil varnish laid on the white wood with some transparent gum not high colored. Now proceed a step further; the red and chippy varnish, what is that? "Oh, that is a varnish of the same quality but another color," say the theorists No. 4. "How do you know?" says I. "It is self-evident. Would a man begin with oil varnish and then go into spirit varnish?" is their reply. Now observe, this is not humble observation, it is only rational preconception. But if discovery has an enemy in the human mind, that enemy is preconception. Let us then trust only to humble observation. Here is a clear varnish without the ghost of a chip in its nature; and upon it is a red varnish that is all chip. Does that look as if the two varnishes were homogeneous? Is chip precisely the same thing as no chip? If homogeneous, there would be chemical affinity between the two. But this extreme readiness of the red varnish to chip away from the clear marks a defect of chemical affinity between the two. Why, if you were to put your thumb-nail against that red varnish, a little piece would come away directly. This is not so in any known case of oil upon oil. Take old Forster, for instance; he begins with clear oil varnish; then on that he puts a distinct oil varnish with the color and transparency of pea-soup. You will not get his pea-soup to chip off his clear varnish in a hurry. There is a bass by William Forster in the collection a hundred years old: but the wear is confined to the places where the top varnish **MUST** go in a played bass. Everywhere

else his pea-soup sticks tight to his clear varnish, being oil upon oil.

Now, take a perfectly distinct line of observation. In varnishes oil is a diluent of color. It is not in the power of man to charge an oil varnish with color so highly as the top varnish of Mr. Pawle's bass is charged. And it must be remembered that the clear varnish below has filled all the pores of the wood; therefore the diluent cannot escape into the wood, and so leave the color undiluted; if that red varnish was ever oil varnish, every particle of the oil must be there still. What, in that mere film so crammed with color? Never! Nor yet in the top varnish of the Spanish bass, which is thinner still, yet more charged with color than any topaz of twice the thickness. This, then, is how Antonius Stradiarius varnished Mr. Pawle's bass.—He began with three or four coats of oil varnish containing some common gum. He then laid on several coats of red varnish, made by simply dissolving some fine red unadulterated gum in spirit: the spirit evaporated and left pure gum lying on a rich oil varnish, from which it chips by its dry nature and its utter want of chemical affinity to the substratum. On the Spanish bass Stradiarius put not more, I think, than two coats of oil varnish, and then a spirit varnish consisting of a different gum, less chippy, but even more tender and wearable than the red. Now take this key all round the room, and you will find there is not a lock it will not open. Look at the varnish on the back of the "violon du diable," as it is called. There is a top varnish with all the fire of a topaz and far more color; for slice the deepest topaz to that thinness, it would pale before that varnish. And why? 1st. Because this is no oily dilution; it is a divine unadulterated gum, left there undiluted by evaporation of the spirituous vehicle. 2d. Because this varnish is a jewel with the advantage of a foil behind it; that foil is the fine oil varnish underneath. The purest specimen of Stradiarius's red varnish in the room is, perhaps, Mr. Fountaine's kit. Look at the back of it by the light of these remarks. What

can be plainer than the clear oil varnish with not the ghost of a chip in it, and the glossy top varnish, so charged with color, and so ready to chip from the varnish below, for want of chemical affinity between the varnishes? The basso di camera by Montagnana is the same thing. See the bold wear on the back revealing the heterogeneous varnish below the red. *They are all the same thing.* The palest violins of Stradiarius and Amati are much older and harder worn than Mr. Pawle's bass, and the top varnish not of a chippy character: yet look at them closely by the light of these remarks, and you shall find one of two phenomena—either the tender top varnish has all been worn away, and so there is nothing to be inferred one way or other, or else there are flakes of it left; and, if so, these flakes, however thin, shall always betray, by the superior vividness of their color to the color of the subjacent oil varnish, that they are not oil varnish, but pure gum left there by evaporating spirit on a foil of beautiful old oil varnish. Take Mrs. Jay's Amatisé Stradiarius; on the back of that violin toward the top there is a mere flake of top varnish left by itself; all round it is nothing left but the bottom varnish. That fragment of top varnish is a film thinner than gold leaf; yet look at its intensity; it lies on the fine old oil varnish like fixed lightning, it is so vivid. It is just as distinct from the oil varnish as is the red varnish of the kit. Examine the Duke of Cambridge's violin or any other Cremona instrument in the whole world you like; it is always the same thing, though not so self-evident as in the red and chippy varnishes. The Vuillaume Stradiarius, not being worn, does not assist us in this particular line of argument; but it does not contradict us. Indeed, there are a few little chips in the top varnish of the back, and they reveal a heterogeneous varnish below, with its rich yellow color like the bottom varnish of the Pawle bass. Moreover, if you look at the top varnish closely you shall see what you never see in a new violin of our day; not a vulgar glare upon the surface, but a gentle inward fire. Now that in-

ward fire, I assure you, is mainly caused by the oil varnish below; the orange varnish above has a heterogeneous foil below. That inward glow is characteristic of all foils. If you could see the Vuillaume Stradiarius at night and move it about in the light of a candle, you would be amazed at the fire of the foil and the refraction of light.

Thus, then, it is. The unlucky phrase "varnish of Cremona" has weakened men's powers of observation by fixing a preconceived notion that the varnish must be all one thing. THE LOST SECRET IS THIS. THE CREMONA VARNISH IS NOT A VARNISH, BUT TWO VARNISHES; AND THOSE VARNISHES ALWAYS HETEROGENEOUS: THAT IS TO SAY, FIRST THE PORES OF THE WOOD ARE FILLED AND THE GRAIN SHOWN UP BY ONE, BY TWO, BY THREE, AND SOMETIMES, THOUGH RARELY, BY FOUR COATS OF FINE OIL VARNISH WITH SOME COMMON BUT CLEAR GUM IN SOLUTION. THEN UPON THIS OIL VARNISH, WHEN DRY, IS LAID A HETEROGENEOUS VARNISH; VIZ., A SOLUTION IN SPIRIT OF SOME SOVEREIGN, HIGH COLORED, PEL-LUCID, AND, ABOVE ALL, TENDER GUM. Gum-lac, which for forty years has been the mainstay of violin-makers, must never be used; not one atom of it. That vile, flinty gum killed varnish at Naples and Piacenza a hundred and forty years ago, as it kills varnish now. Old Cremona shunned it, and whoever employs a grain of it, commits willful suicide as a Cremonese varnisher. It will not wear; it will not chip; it is in every respect the opposite of the Cremona gums. Avoid it utterly, or fail hopelessly, as all varnishers have failed since that fatal gum came in. The deep red varnish of Cremona is pure dragon's blood; not the cake, the stick, the filthy trash, which, in this sinful and adulterating generation, is retailed under that name, but the tear of dragon's blood, little lumps deeper in color than a carbuncle, clear as crystal, and fiery as a ruby. Unadulterated dragon's blood does not exist in commerce west of Temple Bar; but you can get it by groping in the City as hard as Diogenes had to grope for an honest man in



a much less knavish town than London. The yellow varnish is the unadulterated tear of another gum, retailed in a cake like dragon's blood, and as great a fraud. All cakes and sticks presented to you in commerce as gums are audacious swindles. A true gum is the tear of a tree. For the yellow tear, as for the red, grope the City harder than Diogenes. The orange varnish of Peter Guarnerius and Stradiuarius is only a mixture of these two genuine gums. Even the milder reds of Stradiuarius are slightly reduced with the yellow gum. The Montagnana bass and No. 94 are pure dragon's blood mellowed down by time and exposure only.

A violin varnished as I have indicated will look a little better than other new violins from the first: the back will look nearly as well as the Vuillaume Stradiuarius, but not quite. The belly will look a little better if properly prepared: will show the fiber of the deal better. But its principal merit is that, like the violins of Cremona, it will vastly improve in beauty if much exposed and persistently played. And that improvement will be rapid, because the tender top varnish will wear away from the oily substratum four times as quickly as any vulgar varnish of the day will chip or wear. We cannot do what Stradiuarius could not do—give to a new violin the peculiar beauty, that comes to heterogeneous varnishes of Cremona from age and honest wear; but, on the other hand, it is a mistake to suppose that one hundred years are required to develop the beauty of any Cremona varnishes, old or new. The ordinary wear of a century cannot be condensed into one year or five, but it can be condensed into twenty years. Any young amateur may live to play on a magnificent Cremona made for himself, if he has the enthusiasm to follow my directions. Choose the richest and finest wood; have the violin made after the pattern of a rough Joseph Guarnerius: then you need not sand-paper the back, sides, or head, for sand-paper is a great enemy to varnish: it drives more wood-dust into the pores than you can blow out. If you

sand-paper the belly, sponge that finer dust out, as far as possible, and varnish when dry. That will do no harm, and throw up the fiber. Make your own linseed-oil—the linseed oil of commerce is adulterated with animal oil and fish oil, which are non-drying oils—and varnish as I have indicated above, and when the violin is strung treat it regularly with a view to fast wear: let it hang up in a warm place, exposed to dry air, night and day. Never let it be shut up in a case except for transport. Lend it for months to the leader of an orchestra. Look after it, and see that it is constantly played and constantly exposed to dry air all about it. Never clean it, never touch it with a silk handkerchief. In twenty years your heterogeneous varnishes will have parted company in many places. The back will be worn quite picturesque: the belly will look as old as Joseph Guarnerius; there will be a delicate film on the surface of the grand red varnish mellowed by exposure, and a marvelous fire below. In a word, you will have a glorious Cremona fiddle. Do you aspire to do more, and to make a downright old Cremona violin? Then, my young friend, you must treat yourself as well as the violin: you must not smoke all day, nor the last thing at night: you must never take a dram before dinner and call it bitters: you must be as true to your spouse as ever you can, and, in a word, live moderately, and cultivate good temper and avoid great wrath. By these means, *Deo volente*, you shall live to see the violin that was made for you and varnished by my receipt, as old and worn and beautiful a Cremona as the Joseph Guarnerius No. 94, beyond which nothing can go.

To show the fiddle-maker what may be gained by using as little sand-paper as possible, let him buy a little of Maunder's palest copal varnish: then let him put a piece of deal on his bench and take a few shavings off it with a carpenter's plane. Let him lay his varnish directly on the wood so planed. It will have a fire and a beauty he will never quite attain to by scraping, sand-papering, and then varnishing the same wood with the same

varnish. And this applies to hare-wood as well as deal. The back of the Vuillaume Stradiuarius, which is the finest part, has clearly not been sand-papered in places, so probably not at all. Wherever it is possible, varnish after cold steel, at all events in imitating the Cremonese, and especially Joseph Guarnerius. These, however, are minor details, which I have only inserted, because I foresee that I may be unable to return to this subject in writing, though I shall be very happy to talk about it at my own place to any one who really cares about the matter. However, it is not every day one can restore a lost art to the world; and I hope that, and my anxiety not to do it by halves, will excuse this prolix article.

CHARLES READE.

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## THE DOCTRINE OF COINCIDENCES.

TO THE EDITOR OF "FACT."

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### FIRST LETTER.

SIR—In reply to your query—it is true that after the trial at Nisi Prius, where "the Claimant" was plaintiff, but before his trial at Bar as defendant, I pronounced him to be Arthur Orton, and gave my reasons.

These you now invite me to repeat. I will do so: only let me premise that I am not so vain as to think I can say anything essentially new on this subject, which has been fully discussed by men superior to me in attainments.

It so happens, however, that those superior men have always veiled a part of their own mental process, though it led them to a just conclusion: they have never stated in direct terms their major

premiss, or leading principle. This is a common omission, especially among Anglo-Saxon reasoners; but it is a positive defect, and one I do think I can supply. But before we come to the debatable matter, I fear I must waste a few words on the impossible—namely, that this man is Roger Charles Tichborne.

Well, then, let those who have not studied the evidence and cross-examination, just cast their eyes on this paper and see a sample of what they must believe, or else reject that chimera.

That Roger Tichborne was drowned with thirty more, yet reappeared years after, all alone, leaving at the bottom of the sea all his companions, and certain miscellaneous articles, viz:

1. His affection for his mother, his brother, and others.
2. His handwriting.
3. His leanness.
4. His French.
5. His love of writing letters to his folk.

6. His knowledge of Chateaubriand, and his comprehension of what the deuce he, Roger Tichborne, was writing about when he put upon paper—before his submersion—that he admired René, and gave his reasons.

7. His knowledge of the Tichborne estates, and the counties they lay in.

8. His knowledge of his mother's Christian names.

9. His knowledge of his beloved sweetheart's face, figure, and voice.

10. His tattoo marks, three inches long.

11. His religion.

12. Five years of his life. These five years lay full fathom five at the bottom of the ocean hard by No. 10, when this aristocratic Papist married a servant girl in a Baptist chapel, and was only thirty years old, as appears on the register in his handwriting, which is nothing like Tichborne's. Along with this rubbish we may as well sweep away the last invention of weak and wavering intellects, that the Claimant is no individual in particular, but a sort of solidified myth, incarnate *alias*, or obese hallucination.

And now having applied our besoms to

the bosh, let us apply our minds to the debatable. Since he is not dead Castro, nor dead Tichborne, nor live *Alias*, who is he? Here then to those, who go with me so far, I proceed to state the leading principle, which governs the case thus narrowed, and — always implied, though unfortunately never stated—led our courts to a reasonable conclusion. That principle is :

THE PROGRESSIVE VALUE OF PROVED COINCIDENCES ALL POINTING TO ONE CONCLUSION.

Pray take notice that by *proved* coincidences I mean coincidences that are—

1. Not merely seeming, but independent and real.

2. Either undisputed. or indisputable.

3. Either extracted from a hostile witness, which is the highest kind of evidence, especially where the witness is a deliberate liar; or

4. Directly sworn to by respectable witnesses in open court. and then cross-examined and not shaken—which is the next best evidence to the involuntary admissions of a liar interested in concealing the truth.

Men born to be deceived like children may think these precautions extravagant: but they are neither excessive nor new; they are sober, true, and just to both the parties in every mortal cause; they have been for ages the safeguard of all great and wary minds: and neither I nor any other man can lay down any general position of reasoning, that will guide men aright, who are so arrogant, so ignorant, or so weak as to scorn them.

On the other hand, if your readers will accept these safeguards, the general principle I have laid down will never deceive them; it will show them who the Claimant is, and it will aid them in far greater difficulties and more important inquiries; for, like all sound principles of reason, it is equally applicable to questions of science, literature, history, or crime.

I am, sir,

Yours faithfully.

CHARLES READE.

SECOND LETTER.

SIR—A single indisputable coincidence raises a presumption that often points toward the truth.

*A priori* what is more unlikely than that the moon, a mere satellite and a very small body, should so attract the giant earth as to cause our tides? Indeed, for years science rejected the theory; but certain changes of the tide coinciding regularly with changes of the moon wore out prejudice, and have established the truth. Yet these coincident changes, though repeated *ad infinitum*, make but one logical coincidence.

On the other hand, it must be owned that a single coincidence often deceives. To take a sublunary and appropriate example, the real Martin Guerre had a wart on his cheek: so had the sham Martin Guerre. The coincidence was genuine and remarkable; yet the men were distinct. But mark the ascending ratio—see the influence on the mind of a double coincidence—when the impostor with the real wart told the sisters of Martin Guerre some particulars of their family history, and reminded Martin's wife of something he had said to her on their bridal night, in the solitude of the nuptial chamber, this seeming knowledge, coupled with that real wart, struck her mind with the force of a double coincidence, and no more was needed to make her accept the impostor, and cohabit with him for years.

Does not this enforce what I urged in my first letter as to the severe caution necessary in receiving alleged, or seeming, or manipulated coincidences, as if they were proved and real ones? However, I use the above incident at present mainly to show the ascending *power* on the mind of coincidences when received as genuine.

I will now show their ascending *value* when proved in open court and tested by cross-examination.

A was found dead of a gunshot wound, and the singed paper that had been used for wadding lay near him. It was a fragment of the *Times*. B's house was

searched, and they found there a gun recently discharged, and the copy of the *Times*, from which the singed paper aforesaid had been torn; the pieces fitted exactly.

The same thing happened in France with a slight variation: the paper used for wadding was part of an old breviary, subsequently found in B's house.

The salient facts of each case made a treble coincidence. What was the result? The treble coincidence sworn, cross-examined, and unshaken, hanged the Englishman, and guillotined the Frenchman. In neither case was there a scintilla of direct evidence; in neither case was the verdict impugned.

I speak within bounds when I say that a genuine double coincidence, proved beyond doubt, is not twice, but two hundred times, as strong as one such coincidence, and that a genuine treble coincidence is many thousand times as strong as one such coincidence. But, when we get to a five-fold coincidence real and proved, it is a million to one against all these honest circumstances having combined to deceive us.

As for a seven-fold coincidence not manipulated, nor merely alleged, but fully proved, does either history, science, literature, or crime offer one example of its ever misleading the human mind? Why, the very existence of seven independent and indisputable coincidences, all pointing to one conclusion, is a rarity so great, that, in all my reading, I hardly know where to find an example of it except in the defense that baffled this claimant at Nisi Prius.

Now, on that occasion, the parties encountered each other plump on various lines of evidence. There were direct recognitions of his personal identity by respectable witnesses, and direct disavowals of the same by respectable witnesses, just as there were in the case of the sham Martin Guerre, who brought thirty honest disinterested witnesses to swear he was the man he turned out not to be.

With this part of the case I will not meddle here, though I have plenty to say upon it.

But both parties also multiplied coincidences: only some of these were real, some apparent, some manipulated, some honest and independent, some said or sworn out of court by liars, who knew better than venture into the witness-box with them: some proved by cross-examination, or in spite of it. We have only to subject this hodge-podge of real and sham to the approved test laid down in my first letter, and we shall see daylight: for the Claimant's is a clear case, made obscure by verbosity, and conjecture in the teeth of truth!

A. He proved in court a genuine coincidence of a corporeal kind—viz., that Roger Tichborne was in-kneed, with the left leg turned out more than the right, and the Claimant was in-kneed in a similar way.

This is a remarkable coincidence, and cross-examination failed to shake it.

But when he attempted to prove a second coincidence of corporeal peculiarities like the above, which, being the work of Nature, cannot be combated, what a falling off in the evidence.

B. They found in the Claimant a congenital brown mark on the side; they could only assert or imagine a similar mark in Tichborne. No *viva voce* evidence by eye-witnesses to anything of the sort.

C. They proved, by Dr. Wilson, a peculiar formation in the Claimant; but instead of proving by some doctor, surgeon, or eye-witness a similar formation in Tichborne, they went off into wild inferences. The eccentric woman, who kept her boy three years under a seton, had also kept him a long time in frocks; and the same boy, when a moody young man, had written despondent phrases, such as, in all other cases, imply a dejected *mind*, but here are to be perverted to indicate a malformed *body*, although many doctors, surgeons, and nurses, knew Tichborne's body, and not one of all these ever saw this malformation which, in the nude body, must have been visible fifty yards off. In short, the coincidences B and C, were proved incidences with unproved "Co's."

Failing to establish a double coincidence of congenital features or marks, the Claimant went off into artificial skin marks.

Examples: Roger had marks of a seton; the Claimant showed marks of a similar kind.

Roger had a cut at the back of his head, and another on his wrist. So had the Claimant.

Roger had the seams of a lancet on his ankles. The Claimant came provided with punctures on the ankle.

Roger winked and blinked. So did the Claimant.

Then there was something about a mark on the eyelid: but on this head I forget whether the Claimant's witness ever faced cross-examination. Nor does it very much matter, for all these artificial coincidences are rotten at the core: unlike the one true corporeal coincidence the Claimant proved, they could all be imitated; and, as regards the ankles, imitation was reasonably suspected in court, for the Claimant's needle-pricks were unlike the seam of a lancet, and were not applied to the ankle-pulse, as they would have been, by a surgeon, on lean Tichborne, in whom the saphena vein would be manifest, and even the ankle-pulse perceptible, though not in a fair, fat, and false representative. Then the seton marks were stiffly disputed, and the balance of medical testimony was that the Claimant's marks were not of that precise character.

These doubtful coincidences were also encountered by direct dissidences on the same line of observation. Roger was bled in the temporal artery, and the Claimant showed no puncture there. Roger was tattooed with a crown, cross, and anchor by a living witness, who faced cross-examination, and several witnesses in the cause saw the tattoo marks at various times; and it was no answer to all this positive evidence to bring witnesses who did not tattoo him, and other witnesses who never saw the tattoo marks. The pick-pocket who brought twenty witnesses that did not see him pick a certain pocket, against two who did, was defeated by the

intrinsic nature of evidence. I shall ask no person to receive any coincidence from me that was so shaken and made doubtful, and also neutralized by dissidences, as the imitable skin marks in this case were. But the Claimant also opened a large vein of apparent coincidences in the knowledge shown by him at certain times and places of numerous men and things known to Roger Tichborne. These were very remarkable. He knew private matters known to Tichborne and A, to Tichborne and B, to Tichborne and C, etc., and he knew more about Tichborne than A, B, C, etc., individually knew. It is not fair nor reasonable to pooh-pooh this. But the defendants met this fairly; they said these coincidences were not arrived at by his being Tichborne, but by his pumping various individuals who knew Tichborne: and they applied fair and sagacious tests to the matter.

They urged as a general truth that Tichborne in Australia would have known just as much about himself, his relations, and his affairs as he subsequently knew in England. And I must do them the justice to say this position is impregnable. Then they went into detail and proved that when Gibbs first spotted the Claimant at Wagga-Wagga, he was as ignorant as dirt of Tichborne matters: did not know the Christian names of Tichborne's mother, nor the names of the Tichborne estates, nor the counties where they lay. They then showed the steps by which his ignorance might have been partly lessened and much knowledge picked up, they showed a lady, who longed to be deceived, and all but said so, putting him by letter on to Bogle—Bogle startled, and pumped—the Claimant showing the upper part of his face in Paris to the lady who wanted to be deceived, and, after recognition on those terms, pumping her largely: then coming to England with a large stock of fact thus obtained, and in England pumping Carter, Bulpitt, and others, searching Lloyd's, etc.

2. Having proved the gradual *growth of knowledge in the Claimant between Wagga-Wagga and the Court of Common Pleas*, they took him in court with all his

acquired knowledge, and cross-examined him on a vast number of things well known to Tichborne. Under this test, for which his preparations were necessarily imperfect, he betrayed a mass of ignorance on a multitude of things familiar to Roger Tichborne, and he betrayed it not frankly as honest men betray ignorance, or oblivion of what they have once really known, but in spite of such fencing, evading, shuffling, and equivocating, as the most experienced have rarely seen in the witness-box. Personating a gentleman, he shuffled without a blush; personating a collegian, he did not know what a quadrangle is. The inscription over the Stonyhurst quadrangle, "Laus Deo," was strange to him. He thought it meant something about the laws of God. He knew no French, no Latin. He thought Cæsar was a Greek; and, when a crucial test was offered him, which, if he had been Tichborne, he would have welcomed with delight, and turned the scale in his favor, when a thoughtful comment by Roger Tichborne on the character of René was submitted to him, and he was questioned about this René, he was utterly flabbergasted. He wriggled, and writhed, and brazened out his ignorance, but it shone forth in spite of him. He was evidently not the man, who had tasted Chateaubriand, and had written a thoughtful comment on René. His mind was not that mind, any more than his handwriting was that handwriting.

To judge this whole vein of coincidences, and their neutralizing dissidences, the jury had now before them three streams of fact.

1. That at Wagga-Wagga the Claimant knew nothing about Tichborne more than the advertisements told him.

2. That in England he knew an incredible number of things about Tichborne.

3. That in England he took Mrs. Towneley for Roger's sweetheart, and, even at the trial, was ignorant of many things Tichborne could not be ignorant of.

NOW, IN ALL CASES, WHERE THERE ARE SEVERAL FACTS INDISPUTABLE, YET SEEMINGLY OPPOSED, SCIENCE DECLARES

THE TRUE SOLUTION TO BE THAT, WHICH, SETTING ASIDE THE DOUBTFUL FACTS, RECONCILES ALL THE INDISPUTABLE FACTS.

This maxim is infallible:

The good sense of the jury led them to this solution as surely as Science would have led a jury of Huxleys and Tindals to it; and they decided that the coincidences were remarkable, but manipulated, the knowledge astonishing, but acquired, the ignorance an inevitable residue, which only Tichborne could have escaped. They saw a small pump working in Australia, a large pump working in Paris, a huge pump working in England, but a human, and therefore finite, pump after all, as proved in court by examination of the Radcliffes, Gosford, and others; and, above all, by cross-examination of the Claimant, which last is the highest evidence.

So much for the single genuine coincidence of the knees, and the manipulated coincidences of artificial skin marks, and acquired knowledge, relied on for the Claimant.

At this stage your readers should ask themselves two questions:

1st. Is not history printed experience; and ought experience to be printed in vain?

Did not the real wart, and the simulated knowledge, and the thirty direct witnesses of the sham Martin Guerre, anticipate the broad outline of this Claimant's case?

2d. As regards the coincidences, which were not only open to the charge of manipulation, but also neutralized by dissidences, are they mighty enough to convince any candid mind that a fat, live person—who slaughtered bullocks and married a housemaid, and swore in the box without a blush that he had lied, like a low fellow, to his friend and benefactor, Gibbs, and that he well knew, and had loved, and after the manner of the lower orders seduced a lady (though he afterward took Mrs. Towneley for her), and still following the lower orders, blasted her reputation—was the lean, dead aristocrat, Tichborne, who went

down in the *Bella*, with all hands, not one of whom has reappeared, and died, as he had lived, the delicate, loyal lover of the chaste Kate Doughty—and a gentleman—and a man of honor?

I will now show, in contrast, the *indisputable* coincidences, which, converging from different quarters, all point to one conclusion—that the Claimant is Arthur Orton, of Wapping.

I am, sir,

Yours faithfully,

CHARLES READE.

### THIRD LETTER.

SIR—I now venture to hope that all I have written will seem silly to fanatics, and that unprejudiced minds will grant me—

1. That, where there are indisputable facts and doubtful ones, the true solution is that, which ignores the doubtful, and reconciles all the indisputable facts.

2. That two coincidences are a hundred times as strong as one; and five coincidences a million times as strong as one; and so on in a gigantic ratio as the coincidences multiply.

3. That coincidences, like other circumstances, must rest on legal evidence, and that there is a scale of legal evidence, without which a man would be all at sea in any great trial, since such trials arise out of a conflict of evidence. I indicated this scale in my first letter; but as it is not encountered, but ignored in all the replies I have seen, I will amplify and enforce it.

#### THE SCALE OF EVIDENCE.

A. A written affidavit, not cross-examined, is "PERJURY MADE EASY."

B. A written affidavit, signed by a person who could carry his statement into open court, but does not, is PERJURY DECLARED: for, when a man's actions contradict his words, it is his words that lie.

C. In open court the lowest kind of evidence is the evidence in chief of the plaintiff, or defendant.

D. The highest evidence is the admission, under cross-examination, of the plaintiff or defendant.

E. The next highest is the evidence in chief of disinterested persons, not shaken by cross-examination.

These rules were not invented by me, nor for me nor against the Claimant. They are very old, very true, and equally applicable to every great trial—past, present, and to come.

Yet you have a correspondent in whose mind this scale of evidence has no place; he gravely urges that the bestial *ignorance* of the Tichborne estates, and the bereaved woman's name he called his mother, shown by the Claimant at Wagga-Wagga, in his very will, a solemn instrument, *by which he provided for his own wife and expected child*, was not real, as forsooth all his *knowledge* was, but feigned in order to humbug his protector without a motive, and *bilk his own wife out of her sole provision, and sole claims on the Tichborne property*; and for this self-evident falsehood your correspondent's authority is the evidence of the Claimant himself, a party in the suit, and a party interested in lying, and throwing dust in the eyes of simpletons, who cannot see a church by daylight if some shallow knave *says* it is a pigeon house.

It was almost as childish to reply to me with the evidence of Moore. What evidence? Why, he never ventured into court.

Mr. Moore is a humbug, who wrote down a romance, and—fled. Catch him carrying his tale into the witness-box, and being cross-examined out of fiction's fairy realm into one of her majesty's jails. See scale of evidence B. These two great instruments of evidence, men and circumstances, resemble each other in this, that men do not lie without a motive, and circumstances never have a motive, and therefore never lie, though man may misinterpret them. And it is the beauty of true coincidences that in them circumstance preponderates, and man

plays second fiddle. A coincidence often surprises even deceitful men into revealing the truth: for a coincidence is two facts pointing to one conclusion: and the effect of the first fact is seldom seen till the second comes, and then it is too late to tamper effectually with the pair.

You will see this pure and unforeseeing character running through most of the coincidences I now lay before you.

1. It was proved that Tichborne was in-kneed, and dead, and that the Claimant and Arthur Orton are in-kneed and alive.

2. Disinterested witnesses swore that Arthur Orton was unusually stout at twenty, and was called, at Wapping, "bullocky" Orton. Later in his life, Australian witnesses, who knew him, described him as uncommonly lusty. The Claimant's figure is described in similar terms by all the Australian witnesses who knew him. Now, many a lean youth puts on fat between thirty-five and forty, but lean, active men do not very often fatten from twenty to thirty. This, therefore, is a coincidence, though a feeble one.

3. Arthur Orton, born September 13th, 1832, was the youngest son of George Orton, a shipping butcher, and an importer of Shetland ponies. He used to ride the ponies from the Dundee steamers, and so got a horseman's seat: for they are awkward animals to ride, if you take them like that, one after another, raw from the Shetland Isles. When full grown, but under age, he slaughtered and dressed sheep and bullocks for his father.

The Claimant in Australia lived by riding, and slaughtering, and dressing beasts. On this point, his own evidence agrees with that of every witness who knew him. And when he came up the Thames in the *Cella* to personate Tichborne, he asked the pilot what had become of Ferguson, the man who used to be pilot of the Dundee boats. All this taken together is rather a strong coincidence. It may seem weak: but apply a test. To whom does all this, as a whole, apply? The riding—the slaughtering—and the spontaneous interest in an old

Dundee pilot? To Castro? To Tichborne? To any *known* man not an Orton?

4. In 1848, Arthur Orton, aged 16, sailed to Valparaiso, and subsequently in June, 1840, made his way to Melipilla. He was young, fair, the only English boy in the place, and the good people took to him. He made friends with Dona Hayley, wife of an English doctor, and with Thomas Castro and his wife, and many others. They were very kind to him in 1849 and '50, particularly Dona Hayley, and in these gentle minds the kindly feeling survived the lapse of time, and his long neglect of them. Not foreseeing in 1850 his little game in 1866, Arthur Orton told Dona Hayley he was the son of Orton, the queen's butcher, and as a child had played with the queen's children. Not being a prophet, all this bounce at that date went to aggrandize Orton. He spoke of Arthur's sisters, by name, and Dona Hayley, twenty years after, remembered the names with slight and natural variations. The wife of Thomas Castro was called at Melipilla Dona Natalia Sarmiento; but this English boy, knowing her to be the wife of Castro, used to call her Mrs. Castro.

This seems to have amused Dona Hayley, and she noted it. This boy was not Castro, for Castro was an elderly Spaniard, kind to his boy on the spot and at the time. He was not Tichborne, for Tichborne was in England till late in 1852. Tichborne's *alibi* during Arthur Orton's whole visit to Melipilla is proved by a cloud of witnesses, and his own writing, and is, indeed, admitted; he sailed late in 1852, and reached Chili in 1853. Arthur Orton was back in England, June, 1851.

Now so much of this as respects Arthur Orton is the first branch of a pure, unforeseen coincidence. The second branch is this—The Claimant on the 28th August, 1867, wrote from his solicitor's office, 25, Poultry, to prepare the good Melipillians for a new theory—that Arthur Orton, seventeen years old to the naked eye, was not Castro—that cock might fight in Hobart Town, but not in Melipilla). not



Castro, but Tichborne, age 23. He wrote to Thomas Castro, complained he was kept out of his estates, and begged to be kindly remembered to Don Juan Hayley, to Clara and Jesusa, to Don Ramon Alcade, Dona Hurtado, to Senorita Matilda, Jose Maria Berenguel, and his brother, and others, in short to twelve persons besides Castro himself. One of the messages has *per se* the character of a coincidence. "My respects to Donna Natalia Sarmiento, or as I used to call her, Mrs. Castro."

Thomas Castro, to whom this was sent, being in confinement as a lunatic, his son, Pedro Castro, replied in a letter full of kindness, simple faith, and a desire to serve his injured friend. His letter carries God's truth stamped on it. His replies to the kind messages accord with our sad experience of time and its ravages. "His father bereft of reason, his mother—dead this fourteen months. Dona Hayley's recollection of the boy perfect, and she is ready to serve him, and depose to the truth. But the doctor's memory gone through intemperance, Dona Jesusa dead." "Don Jose Maria Berenguel is not so called, his name is Don Francesco Berenguel. He is established at Valparaiso." Then the writer goes on to say what had become of the other friends inquired after by the Claimant. One of them he specifies in particular as taking fire at the Claimant's letter, and remembering all about him, and desirous to serve him, he himself being animated by the same spirit, tells him that Dona Francesca Ahumada retains a lock of his hair, which he suggests the Claimant might turn to account: and so he might if he had been Tichborne. In the same spirit he warns him that his enemies had an agent at Melipilla hunting up data to use against him.

The correspondence thus begun continued in the same spirit.

The whole coincidence is this: The Claimant stayed a long time at Melipilla in 1849 and 1850, and called himself Arthur Orton, and proved himself Arthur Orton, by giving full details of his family, and left Chili in 1850, during

all which time an *alibi* is proved for Tichborne, but none can be proved, nor has ever been attempted, for Arthur Orton. On the contrary, a *non alibi* was directly proved for him. He was traced from Wapping to Valparaiso, and Melipilla, in 1848. His stay there till 1850 was proved, and then he was traced in 1850 into the *Jesse Miller*, and home to Wapping in 1851 just as he had been traced out—by ships' registers and a cloud of witnesses.

The coincidence rests on the two highest kinds of evidence, the Claimant's written admission, and the direct evidence of respectable witnesses unshaken by cross-examination (see scale of evidence), and it points to the Claimant as Arthur Orton.

Those who can see he is not Tichborne, but are deceived by the falsehoods of men into believing he is not Orton, should give special study to this coincidence; for here the Claimant is either Tichborne or Orton. No third alternative is possible. At Melipilla, in 1850, he was either Orton, who was there, aged 17, or Tichborne, who was in England, aged 23.

5. There was, for some years, a bulky man in Australia riding and breaking horses, slaughtering and dressing beasts. His name—Castro—appears when that of Orton disappears. The two men seem to differ in name but not in figure and occupation. And no witness ever came into the witness-box and swore that he had ever seen these two portly butchers in two different skins. In 1867 the Claimant explained this phenomenon.

In his letter to Thomas Castro he wrote thus:—"And another strange thing I have to tell you, and I have no doubt you will say I took a great liberty on myself; that is to say, I took and made use of your name, and was only known in Australia by the name of Thomas Castro. I said also I belonged to Chili." He adds, however, an assurance that he had never disgraced him as a horseman. This coincidence proves that whenever we meet in Australia a bulky butcher, stock-keeper, horse-breaker, etc., called Thomas Castro, of Chili, that means the

Claimant, and also means Arthur Orton, of Melipilla.

And Arthur Orton, of Melipilla, is Arthur Orton of Wapping.

6. This sham Castro, sham Chilian, sham aristocrat, etc., married, as people do nine times in ten, into his own class, a servant girl who could not write her name. She made her mark. He forged a friend's name. Apparently he did not foresee he was going to leave off shamming Castro and begin shamming Tichborne, a stiff Papist; so he got married by a dissenting minister, and in signing the register, described himself as thirty years old.

Castro was, say sixty; Tichborne was thirty-six. Who was thirty?

Arthur Orton of Wapping.

7. It was the interest of Gibbes this man should be Tichborne. His wishes influenced his judgment. He inclined to think he was the right man. But some things staggered him: in particular the man's want of education. Gibbes told him frankly that seemed inconsistent. Then the Claimant, to get over that, told Gibbes that in childhood he had a nervous affection which checked his education. He then described this affection so correctly that Gibbes said, "Bless me, that is St. Vitus's dance." "Yes," said the Claimant, "that is what they used to call it."

This solution eased Gibbes' mind, and he sat down and, honestly enough, sent an account of the conversation to Lady Tichborne's agent; he wrote it to serve the plaintiff, not foreseeing the turn that revelation of the truth would take.

Coming home in the *Rachia* there was some document or other to be read out, and the passengers confided this to the Claimant as a person claiming the highest rank. He blundered and made a mess of it, and showed his ignorance so that suspicion was raised, and one Mr. Hodson put it pointblank to him—"You a baronet, and can't read!" Then the Claimant told him he had been afflicted in his boyhood with St. Vitus's dance, and could not learn his letters.

It was afterward proved by a surgeon

and a multitude of witnesses that at ten years of age Arthur Orton had been frightened by a fire, and afflicted with St. Vitus's dance, and that this had really checked his education, and that the traces of it had remained by him for years; and that, in fact, he was sent to sea in hopes of a cure. This coincidence is very strong. Observe—it is not confined to the disease; but to the time of life, and its effect on a boy's education.

No doubt a third man neither Tichborne nor Orton might have St. Vitus's dance as a little boy, and so be made a dunce, in spite of great natural ability. There is not above a hundred thousand to one against it; but coming after coincidences 4, 5, and 6, which clear away Castro and all other mere vapors, and confine the question to Tichborne or Orton, have I not now the right to say, Tichborne, by admission of all the witnesses on both sides, never had St. Vitus's dance; Arthur Orton undisputably had St. Vitus's dance; the Claimant, to account for his ignorance, spontaneously declared, at different times and to different people, that he had been afflicted with St. Vitus's dance, and this coincidence points to the Claimant as Arthur Orton of Wapping?

Yours obediently,

CHARLES READE

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#### FOURTH LETTER.

SIR—I will ask those who have done me the honor to keep my last letter, to draw a circle on a sheet of paper, the larger the better, and to draw seven radii from its center across the line of circumference to the edge of the paper; then upon those extended radii, and between the circle and the edge of the paper, I will ask them to write in small letters a short epitome of each coincidence, or a few words recalling what they consider its salient feature.

Those who will do me the honor to take

the trouble, and so become my fellow-laborers in logic, will not repent it. It will, I think, assist them, as it has assisted me, to realize how vast an area both of territory and multifarious evidence is covered at the circumference by these seven coincidences, which nevertheless converge to one central point, no bigger than a pin's head, viz., that this Claimant, who has owned himself a sham Castro of Chili, but clings to his other alias, Tichborne, is Arthur Orton of Wapping.

8. From the day the *Bella* foundered to the day Gibbes spotted the Claimant, a period of thirteen or fourteen years, Roger Tichborne never wrote a line to his mother or his brother, or any relation or friend. This is accounted for rationally and charitably by his being dead at the bottom of the ocean.

No, says the Claimant, I was alive all the time, and let my mother and my brother and my sweetheart think I had died horribly, cut off in my prime.

The animal never realized that he was both drawing upon human credulity, and describing a monster and a beast. What was it that so blinded his most powerful understanding? From 1852 to 1865 Arthur Orton never wrote a line to Wapping. He let the father who reared him, the mother who bore him, go to their graves without one little word to say their son was alive. Not a line to brother, sister or sweetheart. This unnatural trait being absent in Tichborne till he was drowned, and present in the Claimant by his own confession, and in Arthur Orton by a pyramid of evidence, is a startling coincidence of a new class. The unnatural heart of the Claimant is the unnatural heart of Arthur Orton.

9. In 1852 Arthur Orton went out to Hobart Town with two Shetland ponies in the *Middleton*.

Subsequently, as the Claimant swore, he was for years at Boisdale and Dargo, slaughtering and riding, etc., in the service of Mr. W. Foster, and under the name of Castro, the Chilian. Foster's widow confirmed most of this, and pro-

duced her account books for 1854, 55, 56, 57 and 58, with full details of the Claimant's service during a part of that time; but she knew him as Arthur Orton, and he figured as Arthur Orton all through the books, and the name of Castro did not occur in *any* of these books. The books were dry account books written in Australia, with a short-sighted view to the things of the place and the time, and not in prophetic anticipation of a London trial, that lay hid in the womb of time.

Not to multiply coincidences unfairly, I am content to throw in here, that on a page of a book produced by this Australian witness, was written as follows:

"DARGO, 11th March, 1853.

"I, Arthur Orton, etc.," vowing vengeance in good set terms, on some persons who had wronged him.

The witness had no doubt this was written by her servant, the Claimant, whom, by the by, she recognized in court as her Arthur Orton; and two judges compared the handwriting with the Claimant's and declared positively they were identical. Now, the judges try so many questions of handwriting, and examine so many skilled witnesses, that they become great experts in all matters of this kind; and as they are judges who—unlike other European judges—can and do disagree, I think their consent on this matter, though not sworn evidence, is very convincing to any candid mind. However, I have no wish to press this part of the coincidence separately, or unduly; but I do say that, taken altogether, No. 9 is a most weighty coincidence.

10. A pocket-book was produced at the trial with miscellaneous entries by the Claimant, artfully inserted to identify him with Tichborne. That being the object, it is unfortunate that he wrote down as follows—*La Bella*, R. C. Tichborne arrived at *Hobart Town*, July 4, 1854. Because at the trial he said he landed at Melbourne.

The person who landed at *Hobart*

Town was Arthur Orton in the *Middleton*. In this same book he wrote—Rodger Charles Tichborne, and Miss Mary Anne Loader, 7, Russell's Buildings, High Street, Wapping. Now, here are three things Roger Tichborne was ignorant of:

1. That his name was Rodger.
2. That Mary Anne Loader existed.
3. That she lived at 7, Russell's Buildings, High Street, Wapping.

Now, who on earth was this, that landed, not at Melbourne, but Hobart Town, and knew so little about Roger Tichborne, and so much about Mary Anne Loader?

Who could it be but Mary Anne Loader's quondam sweetheart, whose letters, written in the Claimant's handwriting, and signed Arthur Orton, she brought into court, and identified the man himself as her own sweetheart, Arthur Orton?

That identification would be valueless by itself, in this special line of argument, but the entry in the pocket-book by the Claimant's own hand makes it a coincidence.

11. At Wagga Wagga the Claimant, being called upon to play the part of Tichborne, made a will, and appointed executors, to wit, "John Jarvis, Esq., of Bridport, Dorsetshire, and my mother, Lady Hannah Frances Tichborne." Failing either of them, he appointed Sir John Bird, of Hertfordshire. As guardian of his children, he appointed his friend Gibbes; and failing him, Mr. Henry Angell. Now when all this was looked into by the other side, the Claimant's aristocratic friend, Sir John Bird, was found to be a myth. That aristocrat existed, like the Claimant's own pretensions to aristocracy, in the Claimant's imagination; but the plebeians were real men: friends of Tichborne? Of course not. Jarvis and Angell were old friends of Arthur Orton. When this was discovered, the Claimant pretended these plebeian executors were suggested to him by Arthur Orton; but Arthur Orton was not on the spot, except in the skin of the Claimant; out of that skin neither Gibbes nor any witness saw him

at Wagga Wagga when that will was drawn. At the trial Angell recognized the Claimant as his old acquaintance, Arthur Orton, and that evidence confirms a coincidence which was already very striking.

12. The Claimant came home, asked after Ferguson, Arthur Orton's old friend, as he steamed up the river, and at last got to Ford's Hotel with his wife.

It was Christmas Day, a cold evening, and he was in the bosom of his family, which people do not leave for strangers on Christmas night. What does he do? Gets up, leaves his family and the Christmas fire, and goes off all alone in a four-wheel.

Where to?

To Tichborne?

To some place where the Tichborne family could be heard of?

No; to Wapping.

He gets to the Globe, Wapping, finds Mrs. Johnson, who keeps the house, and her mother who had once kept it.

The Claimant walks in, orders a glass, and talks about the Ortons and their neighbors, showing so much more knowledge than any stranger in the neighborhood could have possessed, that Mrs. Fairhead looked at him more keenly, saw a likeness to old George Orton, and said, "Why, you must be an Orton?"

Such is the attraction of Wapping that he goes down there again next day and sees a Mrs. Pardon, who also observes his likeness to the Ortons. He passes himself off not as Tichborne, who never could be a friend of Orton's, but as a Mr. Stephens, who might, if he existed, except as an alias.

He does not attempt the Tichborne lie at Wapping, any more than the Castro lie at Melipilla.

The portrait of his own wife and child, which he gave as a portrait of Arthur Orton's wife and child, and the other curious details are pretty well known, and I have no wish to go too far into debatable matter. Take the indisputable part only of this twelfth coincidence and read it with its eleven predecessors.

13. There were remarkable coincidences between the spelling and the handwriting of the Claimant and Arthur Orton. This is a part of the subject I cannot properly do justice to. I can only select from the mass of evidence the Chief Justice submitted to the jury. The Claimant writes the word receive receive, so does Arthur Orton; also anything and nothing for anything and nothing, a mistake peculiar to the lower orders. They also spell Elizabeth Elisaberth. "Few" they spell fue; "whether" "weather." The pronoun I they both write i, after the manner of the lower orders. But as this is not merely a coincidence but a vein of coincidences which it would take columns to explain, I prefer to refer the candid reader to the masterly dissection of handwriting that took place at the last trial, and the Chief Justice's most careful analysis of it.

14. At the first trial there were heavy sums at stake, and a wide belief in the Claimant, and a romantic interest in him.

The Claimant's friends would have given hundreds of pounds to any seaman who would come into the box and prove he sailed in the *Bella*, on her last trip. We all know Jack tar; give him his month's pay, and he is as ready to sail to the port of London as to any other, and readier to sail to London for £300 and his month's pay than to any other port for his month's pay alone. Yet not one of these poor fellows could be got alive to London, for the first trial. Why not? Creation was raked for witnesses, and with remarkable success. Why could not one of these seamen be raked for love or money into the witness-box of the Common Pleas? Was it because money will not draw men from the bottom of the sea, or was it because the trial was in London, and a large sum of money awaited them *there* for expenses? Who does not see, that, had the trial been at Melbourne, these fabulous seamen would have been heard of, not at Melbourne, but in London or some other port ten thousand miles off, where they could have been talked about in far away

Melbourne, but never shown to a Melbourne jury.

Well, the real inability, and pretended unwillingness, of those poor seamen to come to London and get two or three hundred pounds apiece, is matched by the real inability, and fictitious unwillingness, of Arthur Orton, to show his face in London except in the skin of the Claimant. The two non-appearances make one coincidence.

The Claimant, who knows better than any other man, declared Arthur Orton to be alive in 1866; and in Australia; and from that time a hundred thousand eyes have been looking for him in the Colony, yet nobody can find him there alive, or get legal evidence of so marked a man's decease.

At the first trial seven or eight thousand pounds were waiting for him just to show his person in the witness-box in any man's skin but the Claimant's.

Yet he held aloof, and by his absence killed the Claimant's case at Nisi Prius.

At the criminal trial there were still a thousand pounds or two waiting for this needy butcher.

Yet he never came into the witness-box, and his absence killed the Claimant's defense.

Inbeciles are now, after all these years, invited to believe he kept away on both occasions merely because he had committed some crime in Australia. This is bosh. *There is no warrant out against Arthur Orton in Australia.* And if suspected of a crime there, he was clearly safer in England than there. Had he appeared at either trial, his evidence would have been simply this. "I am Arthur Orton, son of George Orton: my brothers are so-and-so, my sisters are so-and-so. You can confront them with me."

Outside this straight line hostile counsel could not by the rules of the court cross-examine so narrow and inoffensive a deponent; or if they did he need not answer them. No judge in England would fail to tell him so. But the truth is that there was never a counsel

against him, who would have made matters worse by a wild cross-examination. They would have thrown up their Orton case that moment, and merely persisted that the Claimant was not Tichborne. Only, as they had committed themselves to both theories, his evidence would have been death to one, and sickness to the other.

The Claimant and his counsel knew all this, yet they made no effort to show Arthur Orton to either jury, though there was money enough to tempt him into the witness-box a dozen times over.

The only real difficulty was to show him at Nisi Prius except in the skin of the plaintiff, and to show him at the Central Criminal Court except in the skin of the defendant. Years have rolled on, but that difficulty remains insuperable. Even now Arthur Orton's appearance out of the Claimant's skin would shake one limb of the verdict, and also create revulsion of feeling enough to relieve the Claimant of his second term of imprisonment. But neither pay, nor the money that is still waiting for him, nor the public acclamations that he knows would hail him, can drag Arthur Orton to light except in the skin of the defendant. And so it will be till sham Castro-sham Stephens, sham Tichborne, and real Orton all die at one and the same moment in the skin of the Claimant. After all these years and all these reasons for appearing, no man—whatever he may pretend—really believes in his heart that Arthur Orton will ever appear to us except in the skin of the Claimant.

15. I forgot to note in its place a remarkable coincidence. After several interviews with Gibbes and some correspondence with Lady Tichborne, but while his knowledge of Tichborne affairs was still very confined, it was thought advisable by his friends that the Claimant should make a statutory declaration. He made one accordingly in the character of Roger Tichborne, and by this time he had learned the date of Roger's birth, and landed him at Melbourne, June 24th, 1854. But, being still ignorant when Roger sailed on his last voyage, viz., 1st

March, 1853, and in *La Pauline*, he declared as follows:—

"I left England in the *Jesse Miller*, 28th November, 1852." Now, in point of fact, Arthur Orton sailed—while Tichborne was at Upton—in the *Middleton*; but he sailed 28th November, 1852, which is a coincidence; and the *Jesse Miller* is a ship unknown to Roger Tichborne, but well known to Arthur Orton, for he sailed in her from Valparaiso in 1851.

Subsequently, having declared he was picked up at sea by the *Osprey*, and carried into Melbourne, he was asked for the name of his principal benefactor, the captain, and of the other kind souls who had saved him, fed him, etc., for three months, and earned his eternal gratitude: all he could recall was Lewis Owen, or Owen Lewis. Now Arthur Orton's ship, the *Middleton*, contained two persons, one Lewis and one Owen. So here we find him dragging into his "voyages imaginaires" of Tichborne true particulars of two voyages by Arthur Orton.

Your readers, especially those who have paid me the compliment of drawing the circle with radii converging to one center, can now fill the interstices of those radii, and so possess a map of the fifteen heterogeneous, and independent, coincidences converging from different quarters of the globe, and different cities, towns, and streets, and also from different departments of fact, material, moral, and psychological, toward one central point, that this man is Arthur Orton. Then, if you like, apply the exhaustive method, of which Euclid is fond in his earlier propositions. Fit the fifteen coincidences on to Roger Tichborne if you can. If this is too impossible, try them on Castro the Chilian, or Stevens, the man who dropped down on Wapping from the sky.

You will conclude with Euclid, "in the same way it can be proved that no other person except Arthur Orton is the true center of this circle of coincidences."

My subject proper ends here; but with your permission I will add a short letter correcting the false impression conveyed

to the judges by defendant's counsel, that the famous Irish case of James Annesley was a precedent favorable to the Claimant. I will also ask leave to comment upon the question whether the extreme term of imprisonment under the Act ought to be inflicted, and also that term repeated; for false oaths sworn by the same individual in the course of a single litigation.

I am,

Yours faithfully,

CHARLES READE.

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### SUPPLEMENTAL LETTER.

SIR—The ordinary features of a trial are repeated *ad infinitum*; but now and then, say once in a hundred remarkable trials, comes an intellectual phenomenon—

There is at the disposal of the plaintiff's counsel, or the defendant's, a friendly witness, whose evidence to some vital point ought to carry far more weight, if believed, than any other person's evidence: yet that friendly witness is not called. Let a vital point of the case be matter of direct and absolute knowledge to A, but only matter of strong belief or conviction to B, C, and D, A is then, as regards that vital matter, the principal witness, and all B, C, and D, can do is to corroborate in a small degree the higher evidence of A. Then, if A is not called, this suppression casts utter discredit upon the inferior witnesses, who are called, and upon the whole case.

The reason is obvious to all persons acquainted with litigation.

Verdicts are obtained, and, above all, *held*, by the evidence alone. Witnesses are not allowed to go into the box without consent of counsel. Counsel are consulted behind the scenes as to what witnesses are necessary to the case, and may be safely shown to the jury, and trusted to the ordeal of cross-examination. If then an able counsel withholds his prin-

cipal witness from the jury, he throws dirt upon his own case; but he is not the man to throw dirt upon his own case *except to escape a greater evil*.

Now, what greater evil than throwing dirt upon his case can there be?

Only one—his principal witness is always the very witness who may kill his case on the spot, either by breaking down under cross-examination, or in some other way, which a wary counsel foresees.

Therefore, when either suitor through his counsel does not call his principal witness, the case is always rotten. History offers no example to the contrary, and only one apparent example, which better information corrected.

In fact, whenever with evidence against him, an able counsel dares not call his principal witness, the court might save time and verbiage by giving the verdict against him without any more palaver. Such a verdict would always stand.

You have a correspondent, who cannot see the superiority of indisputable coincidences, to "Jack swears that Jill says," and even to direct evidence contradicted by direct evidence. I will give this gentleman one more chance. Does he think that *all* judges are fools, *ex-officio*, and *all* jurymen idiots by the effect of the sheriff's summons? If not, let him consult that vast experience of trials he must possess, or he would hardly have the presumption to teach me how to sift legal evidence, and let him ask himself did he ever know a judge and a jury, who went with any suitor, that dared not call his principal witness.

I know one case, but the verdict was upset. Does he know a single case? I doubt it. I will give one example out of thousands to the contrary, which I had from the lips of a very popular writer, beloved by all who knew him, the late Mr. Lever. It was a reminiscence of his youth. At some county assize in Ireland, counsel called the sort of witnesses I have defined above, as B, C, and D, but did not call witness A. The judge was a good lawyer, but not polished, having been born a peasant: but had none the less influence with country juries for that,

perhaps rather more. He objected bluntly to this as a waste of time, and said the jury would expect to see witness A, and the sooner the better.

"My Lord," says the counsel, "I must be permitted to conduct my case according to my own judgment."

The judge raised no objection; only in return he claimed *his* right, which was to read a newspaper so long as the case was so conducted.

When counsel had had their say, my lord came out of his journal, fixed his eyes on the jury, and summed up. My deceased friend gave me every syllable of his summing up, and here it is:

#### THE SHORTEST SUMMING-UP ON RECORD.

*The Judge*: "He didn't call his principal witness. WEE-Y-WHEET!"

This WEE-Y-WHEET, hitherto written for archaeological reasons "Phugh," was a long, plowman's whistle, with which my lord pointed his summing up, and such is the power of judicious brevity falling on people possessed of common sense, that the jury delivered their verdict like a shot against the ingenious suitor, who did not call his principal witness. It was in this same country, nevertheless, that, on the single occasion I have referred to, a jury gave the verdict to the party who did not call his principal witness.

It was the great case of Campbell Craig versus Richard Earl of Anglesey. Craig, in this cause, was a mere instrument. James Annesley, claiming the lands and title of Anglesey, leased a farm to Craig. Anglesey expelled Craig. Craig sued Anglesey as lessee of James Annesley, and then disappeared from the proceedings. James Annesley, who had thirteen years before been kidnaped by this defendant, and sent out to the colonies, took these indirect proceedings as the son and heir of Lord and Lady Altham, to whose lands and title had succeeded, first a most respectable nobleman, the Earl of Anglesey, and, on his decease, his brother, the said Richard Annesley, both these succeeding Lord Altham in turn by apparent default of direct issue. James Annesley therefore

had only to prove his legitimacy, as clearly as he proved this very defendant had kidnaped him by force—and the estates were his.

Now both parties agreed that James Annesley was the son of Lord Altham: but the defendant said James Annesley's mother was not Lady Altham, but one Joan Landy, a servant in Lord Altham's house, who nursed him from his birth, not in Lord Altham's house, but a cabin hard by, where he was admitted to have lived with her fifteen months. There was no parish register to settle the matter, and Lady Altham, an Englishwoman, driven out of the country many years before by her husband's brutality, had died in England, and never mentioned in England that she had a son in Ireland.

The plaintiff called a cloud of second-class witnesses, but he could not be got to call Joan Landy, who had such an absolute knowledge whether the boy was her child, or her nursling, as nobody else could have.

Defendant's counsel, Prime-Sergeant Malone, one of the greatest forensic reasoners the British Empire has produced, dwelt strongly upon the plaintiff's conduct in not showing this witness to the jury.

Here is his general position—"It is a rule that every case ought to be proved by the best testimony the nature of the thing will admit, and this Joan Landy was the very best witness that could have been produced on the side of the plaintiff." He then showed this without any difficulty, and afterward made rather an extraordinary and significant statement. "The counsel on the other side did very early in this case promise we should see her: only, as she was the person that was to wind up the case, she was to be the plaintiff's last witness, and this was the reason given for not producing her till the trial was near an end." He adds that having kept her out of court on this pretense, they now shifted their ground and professed not to call her, "because she was a weak woman, and might forget or be put off the thread of her story."

This last theory he exposes with that



admirable logic I find in all his recorded speeches, and urges that the plaintiff's counsel were simply afraid to subject their principal witness to the ordeal of cross-examination. The three judges—for it was a trial at Bar—all ignored this strong point for the defense, and the jury steered themselves through a mass of contradictory evidence by an unsafe inference—the defendant had kidnaped the boy, and therefore the defendant, who as Lord Altham's brother, must have known all about the matter, had shown by his actions that he knew him to be legitimate.

James Annesley got the verdict. But the soundness of Malone's reasoning was soon demonstrated. A bill of exceptions was tendered and admitted, and pending its discussion, James Annesley's case was upset in a criminal trial. His impetuous friends indicted Mary Heath, a main pillar of the defense, for perjury. She was ably defended, and destroyed her accuser.\* She brought home several perjuries to some of James Annesley's witnesses, and to the whole band of them in one vital matter. They had sworn in concert that the boy was christened on a certain day at Dunmore, his godmother being Mrs. Pigot, and one of his godfathers, Sergeant Cuff.

Well, Mary Heath proved that Mrs. Pigot was nursing her husband with a broken leg 100 miles off, and showed by the records of the Court of Chancery that Sergeant Cuff moved the Court that very day in person, and in Dublin, 100 miles from Dunmore. After this James Annesley's case got blown more and more. The judges would not act on that verdict, and the Court of Chancery restrained him from taking fresh proceedings of a similar nature in the county Wexford. Public opinion turned dead against him. He was horsewhipped on the Curragh by the defendant, and showed his plebeian origin, by taking it like a lamb. Growing contempt drove him out of Ireland, and he lived in England upon his English con-

nections, and fell into distress. His last public act was to raise a subscription at Richmond. This appears either in the "Annual Register" or the "Gentleman's Magazine" of the day—I forget which—but distinctly remember reading it in one or other of those repertoires.

His successful defendant outlived him, and held the title of Anglesey, and the Irish and English estates, till his death. After that he gave some trouble, because he had practiced trigamy with such skill, that the English peers could not find out who was the legitimate heir to his earldom. The Irish peers, with the help of the logical Malone, cracked the nut in Ireland, and so saved the Irish titles. In this discussion James Annesley's pretensions were referred to, *but only as an extinct matter and a warning to juries not to go by prejudice against evidence.* See the minutes of the proceedings before the Irish Lords, published at Dublin by David Hay, 1773, p. 19, and elsewhere.

It certainly is curious that both counsel for the Claimant Orton should have been ignorant how the famous case of James Annesley *terminated*, and should have cited it in support of Orton; curious that both the judges should have submitted to so singular an error.

However, there is a real parallel between the cases, though not what the learned counsel imagined. 1st. James Annesley was either an impostor or the tool of impostors, and Arthur Orton is an impostor. 2d. James Annesley's counsel dared not call his principal witnesses—viz., the sisters of Arthur Orton. Who, in this world, could settle the Orton question with one-half the authority of these two ladies?

It was only to call them and let them look at the Claimant, and swear he was not Arthur Orton—and *stand cross-examination.*

Why was this not done? Withholding them from the jury threw dirt on all the other witnesses, who could only swear to the best of their belief, or offer reasons, not pure evidence.

The comments of Sergeant Malone on

\* See *The King v. Mary Heath*, published in pamphlet form.

the absence of Joan Landy from the witness-box. *Craig v. Anglesey*, 322, all apply here; so does the plowman's whistle of that sagacious judge; who economized the time of the court. It is not that the value of these ladies' evidence is not known. They have been got to sign *affidavits* that the man is not their brother. Why, with this strong disposition to serve him, could they not be trusted to the ordeal of an open court? Sergeant Malone puts it down to dread of cross-examination. There is, however, another thing on the cards which naturally escapes a lawyer, for their minds are not prepared for unusual things.

Lord and Lady Altham were both very dark. James Annesley was fair. Now, suppose Joan Landy was fair, and otherwise like the plaintiff, whom we now know to have been her child? Annesley's counsel may have been afraid to show her to the eyes of the jury, and her son sitting in their sight, as the evidence of John Purcell shows he was.

Old George Orton is said to have marked all his children, including the Claimant, pretty strongly. Suppose these two sisters are like George Orton, and the Claimant, sworn to be like George Orton, is also like these sisters, this would be a reason for showing the public their handwriting to a statement, and not showing the jury their faces. Between this and the dread of cross-examination lies the key to the phenomenon.

He didn't call his principal witness.  
*Wee-y-Wheet!*

Enough has been said I hope, to reconcile men of sense to the verdicts of two juries. The sentence is quite another matter. I do not approve it, and will give my reasons in a short letter, my last upon the whole subject.

Yours faithfully,  
CHARLES READE.

## THE RIGHTS AND THE WRONGS OF AUTHORS.

TO THE EDITOR OF THE "PALL MALL GAZETTE."

### FIRST LETTER.

SIR—Those, who do not bestow sympathy, have no right to ask it. But if a man for years has been quick to feel, and zealous to relieve, his neighbor's wrongs, he has earned a right to expose his own griefs and solicit redress. By the same rule, should a class, that has openly felt and tried to cure the wrongs of others, be deeply wronged itself, that class has a strong claim to be heard. For the public and the State to turn a deaf ear would be ungrateful, and also impolitic; it would be a breach of the mutual compact that cements society, and tend to discourage the public virtue of that worthy class, and turn its heart's milk to gall.

Now, the class "authors" may be said to rain sympathy. That class has produced the great Apostle of Sympathy in this age; and many of us writers follow in his steps, though we cannot keep up with his stride. In the last fifty years legislation and public opinion have purged the nation of many unjust and cruel things; but who began the cure? In most cases it can be traced to the writer's pen, and his singular power and habit of sympathizing with men whose hard case is not his own. Accordingly, in France and some other countries this meritorious and kindly class is profoundly respected, and its industry protected as thoroughly as any other workman's industry. But in Great Britain and her colonies, and her great off-shoot, the class is personally undervalued, and its property too often pillaged as if it was the production of an outlaw or a beaver. The notorious foible of authors is disunion; but our wrongs are so bitter, that they have at last driven us, in spite of our besetting infirmity, into a public league for protection,\* and they

\* The Association to Protect the Rights of Authors, 28 King Street, Covent Garden.

drive me to your columns for sanctuary. I ask leave to talk common sense, common justice, common humanity, plain arithmetic, and plain English, to the Anglo-Saxon race, about the property of authors—a theme which has hitherto been rendered unintelligible to that race by bad English, technical phrases, romantic pettifoggery, cant, equivokes, false summing, direct lies, roundabout sentences, polysyllables, and bosh. Do not fear that I will abuse the public patience with sentimental grievances. I have lived long enough to see that each condition of life has its drawbacks, and no class must howl whenever the shoe pinches, or the world would be a kennel, sadly sonorous in the minor key. I will just observe, but in a cheerful spirit, that in France the sacred word “Academy” means what it meant of old—a lofty assemblage of writers and thinkers, with whom princes are proud to mingle; and that in England the sacred word is taken from writers and thinkers, and bestowed with jocular blasphemy upon a company of painters and engravers, most of them bad ones; that the great Apostle of Sympathy, when dead, is buried by acclamation in Westminster Abbey, but is not thought worthy of a peerage while living, yet a banker is, who can show no title to glory but a lot of money; that what puny honors a semi-barbarous but exceeding merry State bestows on the fine arts are given in direct ratio to their brainlessness—music, number one; painting, number two; fiction, the king of the fine arts, number nothing—that authors pay the Queen’s taxes and the parochial rates, and yet are compelled to pay a special and unjust tax to public libraries, while painters, on the contrary, are allowed to tax the public full fifteen thousand pounds a year for leave to come into a public shop, built with public money, and there buy the painters’ pictures. All these are Anglo-Saxon humors, that rouse the contempt of the Latin races, but they cannot starve a single author and his family; so we leave them to advancing civilization, political changes, and the ridicule of Europe.

But insecurity of property is a curse no class can endure, nor is bound to endure. It is a relic of barbarism. Every nation has groaned under it at some period; but while it lasted, it always destroyed happiness and goodness. It made fighting and bloodshed a habit and criminal retaliation a form of justice. Insecurity of property saps public and private morality: it corrupts alike the honest and dishonest. It eggs on the thief, and justifies the pillaged proprietor in stealing all round, since in him theft is but retribution. Under this horrible curse there still groans a solitary class of honest, productive workmen, the Anglo-Saxon *author*, by which word I mean the writer, who receives no wages, and therefore his production becomes his property, and his sole means of subsistence. To make his condition clear to plain men, I will place him in a row with other productive workmen and show the difference:

1. His own brother, the Anglo-Saxon writer for wages, is never robbed of a shilling. He has the good luck not to be protected by feeble statutes, but by the law of the land at home and abroad.

2. His first cousin, the Latino-Celtic author, has his property, made secure by the common law of his nation, and efficient statutes, criminal as well as civil.

3. The painter, the cabinet-maker, the fisherman, the basket-maker, and every other Anglo-Saxon workman, who uses his own or open materials, and receiving no wages, acquires the production, has that production secured to him forever by the common law with criminal as well as civil remedies.

Only the Anglo-Saxon author has no remedy against piracy under the criminal law, and feeble remedies by statute, which, as I shall show, are sometimes turned from feeble to null by the misinterpretations of judges, hostile (through error) to the spirit and intention of the statute. The result of this mess is that the British author’s property is pillaged at home ten times oftener than any other productive workman’s property; that in Australia he is constantly robbed, though his rights are not as yet publicly disputed;

that in Canada he is picked out as the one British subject to be half outlawed ; and that he is fully and formally outlawed in the United States, though the British writer for wages is not outlawed there, nor the British mechanical inventor, nor the British printers—these artisans are paid for printing in the United States a British author's production—nor the British actor ; he delivers in New York for five times as many dollars as his performance is worth those lines, which the British author has created with five times his labor and his skill, yet that author's remuneration is outlawry.

Unjust and cruel as this is, the other Anglo-Saxon authors are still worse used, especially the American author. He suffers the same wrongs we do, and a worse to boot. Our home market is not seriously injured by American piracy, but his home market is. The remuneration of the established American author is artificially lowered by the crushing competition of stolen goods ; and, as for the young American author, however promising his genius, he is generally nipped in the bud. I can give the very process. He brings the publisher his manuscript, which represents months of labor and of debt, because all the time a man is writing without wages the butcher's bill and baker's are growing fast and high. His manuscript is the work of an able novice ; there are some genuine observations of American life and manners, and some sparks of true mental fire ; but there are defects of workmanship : the man needs advice and practice. Well, under just laws his countryman, the publisher, would nurse him ; but, as things are, he declines to buy, at ever so cheap a rate, the work of promise, because he can obtain gratis works written with a certain mechanical dexterity by hum-drum but practiced English writers. Thus stale British mediocrity, with the help of American piracy, drives rising American genius out of the book market. Now, as the United States are not defiled with any other trade, art, or business, in which an American can be crushed under the competition of stolen goods, the rising author, being an Ameri-

can, and therefore not an idiot, flings American authorship to the winds, and goes into some other trade, where he is safe from foul play. At this moment many an American, who, under just laws, would have been a great author, is a second-rate lawyer, a second-rate farmer, or a third-rate parson : others overflow the journals, because there they write, not for property, but wages, and so escape from bad statute law to the common law of England and the United States. But this impairs the just balance of ephemeral and lasting literature. It creates an excess of journalists. This appears by four tests—the small remuneration of average journalists ; the prodigious number of native journals compared with native books ; the too many personalities in those too many journals ; and the bankruptcy of 800 journals per annum.

Now I am ashamed to say all this injudicious knavery had its root in England. It was here the words were first spoken and written which, being thoughtlessly repeated by statesmen, judges, writers of law books, and now and then by publicists, have gradually deluded the mind and blunted the conscience of the Anglo-Saxon. That great race is inferior to none in common sense, respect for property, small as well as great, and impartial justice. To be false to all these, its characteristic and most honorable traits, it must be under some strong delusions. I will enumerate these, and show that they have neither truth, reason, common law, nor antiquity to support them ; and I hope, with God's help and the assistance of those able men I may convince, to root them out of the Anglo-Saxon mind, and so give the Anglo-Saxon conscience fair play.

CHARLES READE.

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### SECOND LETTER.

SIR—The four main delusions that set the public heart against authors' rights are :

1. THE ÆTHERIAL MANIA.—That an author is a disembodied spirit, and so are his wife and children. That to refuse an unsalaried fisherman an exclusive title to the fish he has labored for in the public sea would starve the fisherman and his family; but the same course would not starve the unsalaried author, his wife, and his children. Those little imps may seem to cry for bread; but they are squeaking for ideas. The ætherial mania intermits, like every other. Its lucid intervals coincide with the visits of the rent-gatherer, the tax-gatherer, and the tradesmen with their bills. On these occasions society admits that an author is a solid, and ought to pay or smart; but returns to æther when the funds are to be acquired, without which rent, taxes, and tradesmen cannot be paid, nor life, far less respectability, sustained. No Anglo-Saxon can look the ætherial crotchet in the face and not laugh at it. Yet so subtle and insidious is Prejudice, that you shall find your Anglo-Saxon constantly arguing and acting as if this nonsense was sense; and, pray, believe me, the most dangerous of all our lies are those silly, skulking falsehoods which a man is ashamed to state, yet lets them secretly influence his mind and conduct. Lord Camden, the great enemy of authors in the last century, was an example. Compel him to look the ætherial mania in the face, and his good sense would have revolted. Yet, dissect his arguments and his eloquence, you will find they are both secretly founded on the ætherial mania, and stand or fall with it.

2. AN HISTORICAL FALSEHOOD.—That intellectual property is not founded on the moral sense of mankind, nor on the common law of England, but is the creature of modern statutes, and an arbitrary invasion of British liberty. This falsehood is as dangerous as it looks innocent. It crosses the Atlantic, and blunts the American conscience: and it even vitiates the judicial mind at home. It works thus down at Westminster. The judges there hate and despise Acts of Parliament. They make no secret of it; they sneer at them openly on the judgment seat, filling

foreigners with amazement. Therefore, when once they get into their heads that a property exists only by statute, that turns their hearts against the property, and they feel bound to guard common-law liberties against the arbitrary restrictions of that statute. Interpreted in this spirit, a statute, and the broad intention of those who framed it, can be baffled in many cases, that the Legislature could not foresee, of which I shall give glaring examples.

3. That the laws protecting intellectual property enable authors to make more money than they deserve, and that piratical publishers sell books, not for love of lucre, but of the public, and for half the price of copyrighted books. I will annihilate this-falsehood, not by reasoning, but by palpable facts and figures.

4. The worst delusion of all is, that what authors, and the Legislature, call intellectual property is neither a common law *property* nor a *property* created by statute, but a *monopoly* created by statute.

This confusion of ideas, unknown to our ancestors, and at variance with the distinctive terms they used, was first advanced by Mr. Justice Yates in the year 1769. He repeated it eight times in *Millar v. Taylor*; and, indeed, without it his whole argument falls to the ground. The fallacy has never been exposed with any real mental power, and has stultified senatorial and legal minds by the thousand. It was adopted and made popular by Macaulay in the House of Commons, February 14, 1841. He was on a subject that required logic; he substituted rhetoric, and said striking things. He said, "Copyright is monopoly, and produces all the effects the general voice of mankind attributes to monopoly." In another part of his rhetoric he defined copyright "a tax on readers to give a bounty to authors;" and this he evidently thought monstrous, the remuneration to producers in general not being an item that falls on the public purchaser; but, where he learned *that*, only God, who made him, knows. In another part he stigmatized copyright as "*a monopoly in books.*"

He did not carry out these conclusions honestly. Holding them, it was his duty to advocate the extinction of intellectual property; but, if his conclusions were weak, his premises were deadly. He took a poisoned arrow out of the custody of a few pettifoggers, and put it into the hands of ten thousand knaves and fools; where the respected word "property" had stood for ages, he and the pettifogger Yates, whom he echoed, set up the hated word "monopoly." "Rank weeds do grow apace;" this fallacy spread swiftly from the Senate to the Bar, from the Bar to the Bench. I have with my own ears heard the Barons of the Exchequer call copyright a monopoly; nor is the expression confined to that court; it is adopted by writers of law-books, and so infects the minds of the growing lawyers. But only consider the effect—Here is a property the great public never reads about nor understands, and is therefore at the mercy of its public teachers. It hears the mouthpieces of law, and the mouthpieces of opinion, declare from their tribunals that the strange, unintelligible property called by the inhuman and unintelligible name of "copyright" is a monopoly. The public has at last got a word with a meaning. It knows what monopoly is, knows it too well. This nation has groaned under monopolies, and still smarts under their memory. It abhors the very sound, and thinks that whoever baffles a monopoly sides with divine justice and serves the nation. Therefore to call an author's property a monopoly is to make the conscience of the pirate easy, and even just men apathetic when an author is swindled; it is to prejudice both judges and juries, and prepare the way to false verdicts and disloyal judgments. I pledge myself to prove it is one of the stupidest falsehoods that muddleheads ever uttered, and able but unguarded men ever repeated. I undertake to prove this to the satisfaction of the Anglo-Saxon race, and of all the honest lawyers who have been decoyed into the error, and have delivered it as truth from the judgment seat this many a year. At present I will only say that if any states-

man or practical lawyer, or compiler of law books, who either by word of mouth or in print has told the public "copyright" is a "monopoly," dares risk his money on his brains, I will meet him on liberal terms. I will bet him a hundred and fifty pounds to fifty copyright is not a monopoly, and is property. All I claim is capable referees. Let us say Lord Selborne, Mr. Robert Lowe, and Mr. Fitzjames Stephen, if those gentlemen will consent to act. I offer the odds, so I think I have a right to demand discriminating judges. If any gentleman takes up this bet I will ask him to do it publicly by letter to the *Pall Mall Gazette*, and we will then proceed to deposit the stakes, etc.\*

From all these cruel delusions I draw one comfort: perhaps authors are not hated after all, but only misunderstood; and, if we can enlighten the mind of statesmen, lawyers, and the public, we may find the general heart as human to us as ours has always been to our fellow citizens, and they don't deny it.

The two great properties of authors are "copyright," or the sole right of printing and reprinting for sale the individual work a man has honestly created, and "stage-right," or the sole right of representing the same for money on a public stage. The men who violate these rights have for ages been called pirates. The terms "copyright" and "stage-right" are our calamities. They keep us out of the Anglo-Saxon heart by parting us from its language. France calls them both by one name, "*les droits d'auteurs*;" and it is partly the long use of this human phrase that has made France so just and humane to authors. Warned by this experience, I pause in alarm before these repulsive words, that stand like a bristling wall between us and manly sympathy; and I implore the reader of these letters to be very intelligent, to open his mind to evidence that under these unfortunate and technical words lie great human realities; that both rights mean

\* No person has ever ventured to encounter Mr. Reade, and risk his money on his opinion that copyright is a monopoly.

*property*, and that to infringe either property has just the same effect on an author as to rob his house ; but to infringe them habitually by defect of law or judicial prejudice is far more fatal ; the burglar only takes an author's superfluities, but the unchecked pirate takes his house itself, and, indeed, his livelihood.

You take my house, when you do take the prop  
That doth sustain my house ; you take my life,  
When you do take the means whereby I live.

I do earnestly beg the reader then, in the name of wisdom, justice, humanity and Christianity, not to be baffled by a miserable husk where there is really a rich kernel ; not to let the technical appearance of two words divert him from a serious effort to comprehend the rights and the wrongs of those men, living, whose insensible remains he worships when dead. In face of eternal justice the dead and the living author are one man ; the dead is an author who was alive yesterday, the living is an author who will be dead to-morrow. In a word, then, take away or mutilate either of the properties so unfortunately named, and you remove the sole check of piracy ; but, piracy unchecked, the ruin and starvation of authors, and the extinction of literature follow as inevitably as sunset follows noon. To give the reader a practical insight into this, I will select literary piracy, or infringement of copyright, and show its actual working. The composition is the true *substance* of a book ; the paper, ink, and type are only the *vehicles*. The volumes combine the substance and the vehicles, and are the joint product of many artisans, and a single artist, the author. The artisans, to wit, the paper-makers, compositors, pressmen, and binders, are all paid, whether the book succeeds or fails. To go from the constructors to the sellers, you find the same distinction ; the retail bookseller takes the enormous pull of 25 per cent on every copy, yet the failure of the work entails no loss on him—unless he overstocks himself—because he is paid out of the gross receipts. But the author and the publisher take their turn last, and

can only be paid out of profits. Where there is a loss it must all fall on author or publisher, or both. Now, books not being so necessary to human life as food or clothing, publishing is a somewhat speculative trade. It is calculated that out of, say, ten respectable books, about half do not pay their expenses, and of the other five four yield but a moderate profit both to author and publisher, but that the tenth may be a hit and largely remunerative to publisher and author, supposing those two to share upon fair terms. But here comes in the pirate. That caitiff does not print from manuscripts nor run risks. He holds aloof from literary enterprise till comes the rare book that makes a hit. Then he and his fellows rush upon it, tear the property limb from jacket, and destroy the honest shareholders' solitary chance of balancing their losses. The pirate who reprints from a proprietor's type, and reaps gratis the fruit of the publisher's early advertisements, and does not pay the author a shilling, can always undersell the honest author or the honest publisher, who pays the author, and buys publicity by advertising, and sets up type from manuscript, which process costs more than reprinting. This reduces the honest author's and publisher's business to two divisions : the unpopular books—often the most valuable to the public—by which they lose money or gain too little to live and pay shop, staff, etc. ; and the popular book, by which they would gain money, but cannot, because the pirates rush in and shave, and undersell, and crush and kill. I appeal to all the trades and all the arts if any trade, or any art ever did live, ever will live, or can live, upon such terms ? The trade—all commercial enterprise requires capital, and all genuine capital is timorous and flies from insecure property. The art—to produce popular books requires, as a rule, such intelligence and capacity for labor as need not starve for ever, but can go in the course of a generation, and after much individual misery, from literature to some easier profession. Therefore, piracy drives out both capital and brains, and marks out

for ruin the best literature, and would extinguish it if not severely checked. This is evident, but it does not rest on speculation. History proves it. Piracy drove Goldoni out of Italy, where he was at the top of the tree, into France, and made him end his days a writer of French pieces for the one godlike nation, that treated a pirate like any other thief, and a foreign author like a French author; piracy extinguished an entire literature in Belgium; piracy, A. D. 1875, stifles a gigantic literature in the United States; piracy for a full century has lowered the British and American drama three hundred per cent; A. D. 1694, the protection afforded to copyright by the licensing Acts being removed, literary piracy obtained a firm footing in England for a time. What followed? In a very few years a handful of hungry pirates reduced both authors and respectable publishers to ruin, them, and their families. This was sworn and proved before Queen Anne's Parliament, and stands declared and printed in their Copyright Act, A. D. 1709. Those collected examples of honest artists, and traders, ruined by piracy are hidden for a time in the Record Office; but there are many sad and public proofs that piracy can break an honest trader's heart, or an honest workman's. I will select two out of hundreds. The ill-fated scholar we call Stephanus was not only ruined but destroyed, mind and body, by a piratical abridgment. He found the Greek language without a worthy lexicon. He spent twenty years compiling one out of the classical authors. It was and is a gigantic monument of industry and learning. He printed it with his own press and rested from his labors; he looked at his Colossus with honest pride, and boasted on the title-page, very pardonably,

*Me duce plana via est, quæ salebrosa fuit.*

What was his reward? A man, who had eaten his bread for years as a journeyman printer, sat down, and without any real labor, research or scholarship, produced in one volume an abridgment of

the great lexicon. With this the miscreant undersold his victim and stopped his sale, and ruined him. In his anguish at being destroyed by his own labor stolen, the great scholar and printer went mad, and died soon after.

The composer of our National Anthem surely deserved a crust to keep body and soul together. Well, piracy would not let him have one. His immortal melodies sold for thousands of pounds, but the pirates stole it all and never gave the composer a farthing. At eighty years of age he hanged himself in despair to escape starvation. The old cling to life—goodness knows why; it is very rare for a man of eighty to commit suicide; but, when an inventor sees brainless thieves rich by pillaging his brains, and is gnawed by hunger, as well as the heart's agony and injustice too bitter to bear, what wonder if he curses God and man, and ends the intolerable swindle how he can. The malpractice which could murder the composer of our National Anthem, has surely some little claim to national disgust, and the legal restraints upon that malpractice to a grain of sympathy. Well, its only restraints upon earth are not justice nor humanity—it mocks at these—but copyright and stage-right, whose ugly sound pray forgive, and listen to their curious history.

CHARLES READE.

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### THIRD LETTER.

SIR—The Greeks and Romans and Saxons had no printing-press, and no theaters taking money at the doors. It is idle to search antiquity, or even mediæval England, for copyright, or stage-right, or my right to my Cochin China hen and every chick she hatches. "Bonæ legis est ampliare jura;" common law, old as its roots are, has at every period of its existence expanded its branches, because its nature is the reverse of a parliamentary enactment, and is such as



permits it to apply old principles to new contingencies: to bloodhounds, potatoes, straw-paper, the printing-press, each as they rise. Copyright and stage-right, and many other recent rights, grew out of two old principles of common law; and these laid hold of the printing-press and the theater *as soon as they could and how they could*. The first old principle is this: Productive and unsalaried labor, if it clash with no property, creates a property. All the uncaught fish in the sea belong to the public. Yet every caught fish comes to hand private property, because productive labor, when it clashes with no precedent title, creates property at common law.

The second old principle is this. Law *abhors* divestiture, or forfeiture of property. From time immemorial the law of England has guarded property against surmises and surprises by defining the terms on which it will permit divestiture. They are two—"consensus" and "delictum;" that is to say, "clear consent" and "long neglect," *each to be proved before a jury*.

By the first principle—viz., that productive labor not clashing with property creates property—a writer or his paymaster acquires the sole right to print the new work for sale. All lawyers out of Bedlam go thus far with me.

By the second the proprietor acquires nothing at all; he merely retains forever that sole right to print which he has acquired by productive labor—unless, indeed, he divests himself by "clear consent" or "long neglect," to be proved before a jury.

Transfer to another individual is "clear consent." To leave a printed book fifty years out of print might possibly be "delictum," or long neglect—if a jury should so decide—and that would make the right common. But to print and reprint one's own creation is to exercise the exclusive right, and exercise is the opposite of "delictum:" it is the very course the common law has prescribed from time immemorial to keep alive an exclusive right when once acquired.

So much for the governing principles. Now for their operation.

No French nor Dutch jurist disputes that intellectual property was the product of his national law, though afterward regulated by statutes; and that alone is a reply to the metaphysical sophists who argue *à priori* that common law could not recognize a property so subtle. However, a little fact is worth a great deal of sophistical conjecture. So let us examine fact, and candidly. In England the early history of the property has to be read subject to a just caution: we must assign no judicial authority to unconstitutional tribunals, but only glean old facts from them, and that discreetly. From the infancy of printing till the year 1640, an Englishman could neither print his own book honestly nor his neighbor's dishonestly without a license from the Crown. Its principal agent in this iron rule was the Star Chamber, a tribunal whose deeds and words are not worth the millionth of a straw *judicially*. But, as *historical* evidence, especially on any matter irrelevant to its vices, its records are as valuable to a modern as any other ancient official memoranda of current events. The original word for "copyright" was "copy," and the Star Chamber used this word in very early times. This proves a bare fact, that copyright existed of old in printed books, and that, under the Tudor sovereigns, it was an antiquity; since it had even then lived long enough to take the technical name "copy," whereas literary *monopolies* granted by the Crown were invariably and with just discrimination called "patents:" and "stage-right," whose existence (in unprinted dramas) by common law, at this time, is not doubted by any English lawyer, had no name at all, direct nor roundabout.

The Stationers' Company was first chartered in 1556. In 1558 they enter copyrights under the names of their proprietors, and the entries continue in an unbroken series until 1875. In 1582 there are entries with this proviso, that the Crown license to print should be void, if

it be found that the copyright belonged to another person. This shows how Englishmen, when not corrupted by pettifoggers, gravitate toward law and the sanctity of property. The Stationers' Company was chartered by the Crown, and invested with some unconstitutional powers; yet in a very few years they make the royal license bow to a precedent title of proprietorship, that could in 1582 have no foundation but in common law.

In 1640 the Star Chamber was abolished, and for a while everybody printed what he liked; thereupon, as free opinions differ, some wrote against the Parliament. Straight the two Houses of Parliament took a leaf out of the book of kings, and passed an ordinance forbidding any work to be printed without a formal license; and then, as pirates, relieved of the licenser, had begun their game, the same ordinance forbade printing without the consent of the owner of the copyright, on pain of forfeiture of the books to the owner of the copyright. Thus the Commonwealth in protecting copyright, went a step beyond the monarchical governments that preceded it: which please make a note of, Brother Jonathan.

November, 1644. Milton published his famous defense of unlicensed printing, and attacked that portion of the aforesaid ordinance which infringed common-law liberties; but he sanctioned very solemnly that portion which protected common-law rights. That great enthusiast for just liberty used these words, "the just retaining of each man his several 'copy' (copyright), which God forbid should be gainsaid."

Anno 1662. Act 13 and 14 Charles II. prohibited printing any book without consent of the *owner*, upon pain of certain forfeitures, half to the king, half to the *owner*. This statute followed the wording of the Republican ordinance. I need hardly say that in any Act of Parliament "owner" means the "legal owner," not the claimant of an impossible or even doubtful right. Under this statute a leading case was tried, that might be en-

titled *Property v. Monopoly*. "Streater" held what our ancestors with a scientific precision their muddle-headed descendants have lost till this day called a "patent." He was a law patentee, *i. e.*, he had from the Crown a sole right to print law reports, and *that*, Messrs. Yates and Macaulay, was "*a monopoly in books*" if you like. Streater reprinted Judge Croke's reports. Roper sued Streater, proving his own legal ownership by purchase of Croke's copyright from Croke's executor. Roper's title was at common law, for the statute of Charles II. never pretended to confer ownership: it only protected the existing legal owner by special remedies. Streater (*Monopoly*) pleaded the king's grant; Roper (*Property*) demurred. This brought the question of law before the full Court of Common Pleas. It was given for the plaintiff against the king, by judges who were removable at the will of the sovereign, and more inclined to stretch a point for him than against him. Opposed to a royal grant, had Roper's title at law been doubtful, they would have swept him out of court with a besom.

Successive licensing Acts protected the common-law owner of copyright until 1694, when the last Act expired; but as another was threatened for five years, a dread hung over piracy. This being removed in 1699, the pirates went to work with such fury that the proprietors of copyright began to cry out, and in 1703 petitioned Parliament for protection. For six weary years they besieged hard hearts and apathetic ears. One of the petitions survives, and therein the petitioners, though it was their interest to exaggerate their case, and say they had no remedy at law, do, on the contrary, *admit* there is a remedy at common law. But they say it is inadequate—that in an action on the case, the jury will give no more damages than can be proved, and how can a thousand piratical copies be traced all over the country? "Besides, the defendant is always a pauper," etc., etc., cited from the journals of the House.

In 1709 the Legislature took pity on

authors and honest publishers, and passed an Act, the words of which and their contemporaneous interpretation are necessarily the last great link in the history of copyright, before that creature of the common law became the nursing of statutes. The preamble of a statute is not a law, but history: it relates antecedent facts, and declares the cause and motives of the enactment to follow. Instead of comments I put italics:

“Whereas printers, booksellers, and others, have of *late* frequently taken the *liberty* of printing, reprinting, and publishing, books and other writings, without the consent of the authors, or *proprietors*, to their very great detriment, and too often to the ruin of them and their families—for preventing therefore such *practices* for the future, be it enacted”—8th Anne, cap. 19, sec. 1.

In the body of the Act thus prefaced, the old word “copy” for “copyright” is used six times in the sense it had been used for ages, and, so far from inventing even a new protection to old copyright, as dreamers fancy, the Act, in that respect also, is a servile imitation of the various licensing Acts. As the Monarchical licensing Acts, and the Republican ordinances, found *owners* and *proprietors* of “*copy*,” so this Act finds *proprietors* of “*copy*” and, as the Republican and Monarchical Acts, protected the existing owners or proprietors of “*copy*” by *confiscation of the piratical books* so this Act protects the existing *proprietors* of “*copy*” by *confiscation of the piratical books*; and, to any man with an eye in his mind, this deliberate imitation of preceding Acts, that had recognized “copyright” at common law, and protected it by penalties, is not only a recognition of the *property*, but a recognition of the recognitions and the penalties. Dreamers always confound dates; they forget that many of the Parliament men A.D. 1709 had themselves in person passed a licensing Act. Even the one apparent novelty—the curtailing clause—was a bungling attempt to arrive in another way at the temporary feature, which was the characteristic of the licensing Acts. The bill,

we know, went into Committee an Act protecting property *forever* by penalties. In Committee it encountered old members, and these, with a servile double imitation of the licensing Acts, *which were penal, and only passed for a term*, fixed an imitation term to the imitation penalties, but so unskillfully that, by the grammatical sense of their words, they shortened the days of the sacred everlasting property itself. Subject to a saving clause, which afterward proved too obscure and feeble to combat the spoliation clause, they fixed a term—of a book already printed, twenty-one years; of a book to be printed, fourteen years; but fourteen more should the author survive the first term.

Such to a reader of this day, when the application of the lying term “monopoly” has blunted the understanding and the conscience, is the apparent sense of the statute. But you must remember that in 1709 the word “monopoly” had never been applied to “copyright” by any human creature: and so rooted was all common-law property, and the sense of its inviolability, in the English mind, that neither the laymen nor the lawyers of Queen Anne’s generation read the statute as curtailing the sacred property. Honest Englishmen, not blinded by cant, know no difference of sanctity in *property*. From a hovel to a palace it is equally sacred. Curtailment of an Englishman’s *property* is spoliation *in futuro*, and spoliation, without a full equivalent, is a public felony Englishmen were slow to suspect the State of. Queen Anne’s Parliament sat at Westminster, not Newgate; and therefore the curtailing clauses were interpreted to apply to the new penalties, not to a thing so inviolable as the ancient property.

Authors continued, *after this* statute, to assign their copyright forever and publishers to purchase them forever, just as they did before the statute; and, for forty years at least, while the contemporaneous exposition of the statute was still warm, equity judges, *who had conversed with members of both Houses that passed the Act, and with lawyers*

who had framed it, and had means of knowing the mind of Parliament that we can never have, granted relief by injunction to several plaintiffs, who by the lapse of time had no legal claim to any benefit from the statute, but only from the precedent common-law right.

In 1769—*Millar v. Taylor*—the judges of the King's Bench, by a majority of three to one, decided that Queen Anne's statute had not curtailed the ancient right, but, like its models, the licensing Acts, had supported it by penalties, which expired in a few years, leaving the bare right protected only by action upon the case, as it was before the statute.

This decision stood for five years. But all those five years the lying word "monopoly," launched by the dissentient judge in *Millar v. Taylor*, was undermining the property.

February 9, 1774, on an appeal from the Court of Chancery in *Donaldson v. Becket*, the House of Peers directed the judges at common law to reply to three questions, which may be thus condensed:

1. Had an author the sole right at common law to print his MS.?
2. If so, did he lose his exclusive right by printing?
3. Did the statute of Queen Anne curtail this right, and confine it entirely to the times and other conditions specified?

On the first question the judges, including Lord Mansfield, were nine to three, on the second, eight to four against the forfeiture, and on the third, six to six.

But Lord Mansfield, whose great learning left little room in his mind for so small a trait as pluck, withheld his voice, without changing his mind, and made the numbers appear to be—on the first question eight to three, on the second seven to four, on the third six to five. Pursuing the same delicate course in the House of Peers itself, he sacrificed the biggest thing on earth—and that is justice, to an extremely pretty, but small, thing, etiquette: whereas Lord Camden, who for known reasons hated authors, and hated Lord Mansfield, laid aside not only etiquette, but judicial

gravity, and ranted and canted without disguise, as counsel for the pirates, and so stole a majority (of lay lords, not lawyers), whose judgment, however, went only to this, that the statute had *curtailed* the everlasting common-law right.

Thus these lucky knaves, the pirates, got a sham majority of the judges to defy the contemporaneous and continued interpretation of a statute sixty years old—a malpractice without precedent in our courts—and—anomaly upon anomaly—to curtail so sacred a thing as an Englishman's property. Unfortunately their good luck did not stop there; though they were defeated upon the first and second questions, yet the Anglo-Saxon muddlehead now interprets their bastard victory on the first question, into a victory on the second question, where they were overpowered by numbers, and crushed by weight, Mansfield and Blackstone being in the majority, and in the minority three comic judges, Eyre, Perrot and Adams, who held in the teeth of all the cases that an author has not, by common law, the sole right to *print his own manuscript*. Now, the metaphysical muddleheads, led by Yates, had the same contempt for these three comic judges, their allies, that Mansfield and Blackstone had for their allies and them. So then the majority who said—"No, copyright at common law is not forfeited by its lawful exercise," for law abhors forfeiture—were agreed in principle: but the minority were only agreed to say, "Copyright in printed books did not exist at common law." They could not agree *why*. The only *principle* the metaphysical judges, and the comic judges, held in common, was "a labefaction of all principle"—viz., a resolution to outlaw authors *per fas et nefas*. But the Anglo-Saxon addlepate, unable to observe, and therefore unable to discriminate, contemplates, with his mooning, lack-luster eye, a consistent majority, led by the only judges Europe recognized as jurists, and a minority, composed of trumpery little obscure judges at war with each other: and, in the teeth of this treble majority, by numbers, weight,

and unanimity, says copyright was declared by the judges a creature of statutes.

Not so, my friend and jackass. A great majority of the judges, led by giants, and agreeing in principle, overpowered a small and discordant minority of judicial dwarfs, and declared copyright in printed books a creature of the common law, and a nursling of statutes.

Looking at the conduct of its first nurse, in 1709, the latter term is doubly appropriate; for, when a nurse is not the mother, she is the very woman to overlie the bantling, and shorten its days.

Thus from 1700-1709, authors and their assignees suffered such lawless devastation of their property and undeserved ruin as no other citizens ever endured at that epoch of civilization; and in 1774 the same favorite victims of injustice suffered two such wrongs, judicial and legislative, as would, had they fallen on any powerful class of citizens, have drenched the land in blood, have set the outlawed proprietors killing pirates like rats, and imperiled the House of Lords, both as a tribunal and a branch of the legislature. And this is the right way to measure public crimes: for, though it is safer to trample unjustly on the worthy and the weak than on the strong, it is not a bit more just, and it is not so much more expedient as it looks: for every dog gets his day.

The judicial wrong.—The judges are the constitutional interpreters of statutes, and their interpretations are law. Precedent rules our courts like iron. When judges, who sit near the time of an Act, interpret it in open court by judgments, and so precedents of interpretation accumulate, the chain of practical interpretations becomes law, and immutable; especially if the Act so interpreted came after a right at common law and recognized it. Never, since England was a nation, has sixty years' interpretation of a statute been upset, except to injure authors. Sixty years' interpretation of Queen Anne's statute, had the interpretation been *injurious* to authors, would have stood as immovable as the walls of

Westminster Hall. Not one English judge would have listened either to reason, or to principle, or to grammar, or to all three, against a chain of precedents, had those precedents been *injurious* to authors. Every lawyer knows this is so, and that the answer of the judges to an innovating author would have been, "We do not make interpretations of old statutes; we find them in the cases. *Have you a case, Mr. Author?*"

The House of Lords was not itself in this matter. Besides the excess of lay peers, there were two elements that vitiated its judgment. 1st. Lord Mansfield withheld his vote. That was monstrous. In the tribunal whence there is no appeal, if the most capable judge withholds his voice, the majority is a delusion. I don't say his silence was without precedent. But the other side flung precedent to the winds. 2d. Lord Camden, one of the judges, was corrupt. A man may be corrupted with other things than bribes. This lawyer was corrupted by his passions. He hated authors for blackballing him at their club, and he hated Lord Mansfield for being a greater lawyer than himself. Lord Mansfield was silent, yet Camden spoke *at* him all through; and he spoke on the judgment seat, not as judges speak who are trying to be just, but as counsel play with claptrap on the prejudices of a jury—and what were the lay lords but a jury! He, who had never worked his brain for reputation only, but also for money, money for pleading causes, money for doing justice on the bench, pension-money for having judged cases and been paid at the time, he had the egotism and impudence to urge that "Glory is the sole reward of authors, and those who desire it scorn all meaner views. Away, then," says canting Camden, "with the illiberal avarice that, at sixty or seventy years of age, still seeks a return from books written at thirty or forty. No, let the aged author take his tottering limbs and his gray hairs to an almshouse or starvation; I'm all right: I've got a pension." With such justice, such unselfishness, such humanity as this, well rapt in rant and omnipotent cant,

he bribed Lord Noodle and Lord Doodle—judges in virtue of their titles—to annul a chain of true judicial precedents, to pillage the property of their intellectual superiors, and doom their declining days to poverty and degradation. Why not? The villainy could not recoil on any one of the perpetrators: the lay judges had all got land from their sires, a property, the title to which is generally impure, but it cannot be curtailed, and the pensioned pettifogger was kept in affluence by the State he no longer worked for; that State, which does not pension retired *authors*, and therefore was all the more bound to secure to their old age the property—for creating which they receive neither salaries nor pensions—against pilfering pirates, metaphysical muddleheads, romantic pettifoggers, canting pensioners, and all the other egotists, dunces, and knaves, who, possessing the lower intellect, hate the highest intellect, and grudge it a long lease of its own poor, little, insufficient freehold, held by ten thousand times the purest title law can find on sea or land—Creation.

The legislatorial wrong.—The nation cried shame at the judicial robbery of authors and their assigns. The House of Commons, which is the representative of the country in Parliament, wasted no time, but proceeded to cure the wrong by fresh legislation. They brought in a bill restoring the common-law right apart from the statutory penalties. It was carried by a large majority. But in the Upper House it encountered Lord Camden. To be sure, matters were changed now: justice and humanity no longer asked him to resign his new, but grammatical, interpretation of an old statute. They bowed to his new interpretation, and merely asked him to legislate accordingly: to rectify the unhappy misunderstanding by a fairer and more humane enactment. No! the cruel legislator retained the perverse malignity of the passionate judge: he met all the petitions of the sufferers, and all the assignments forever of literary property, that had been made in good faith, with a *falsehood*—that copyright is a monopoly

—and with the same rant and cant he had defiled the judgment-seat with in *Donaldson v. Becket*. He wrought upon the passions and the illiterate prejudices of a House which was not the enlightened assembly it is now; justice in the person of Lord Mansfield once more sat mumchance, apathetic, cowardly, dumb, despising secretly the romantic injustice, the pseudo-metaphysical idiocy, the rant and cant, and misplaced malevolence, he should have got up and throttled, like a man; unfortunate authors!—the foibles of your friends, the vices of your enemies, all tended by some gravitation of injustice to weigh down the habitual victims: and so a small majority of the peers was got to overpower a large majority of the Commons, and the sense and humanity of the nation.

Upon this, authors and honest publishers fell into deep dejection, and resigned all hope of justice during their enemy's lifetime. After his death the House of Peers became more human; they seemed to admit, with tardy regret, that Lord Camden had misled them, a *little*; that an author, after all, was not an old wild beast, but an old man; and so they gave him back his stolen property for his whole life, and for twenty-eight years at least.

That remorse did not decline, but grew as civilization advanced. In 1842, Parliament, advised by lawyers worthy of the name, passed a nobler bill. They gave the lie direct to Mr. Justice Yates and Lord Camden, by formally declaring copyright to be *property* (Act 5 and 6 Victoria, cap. 45, sect. 25), and they postponed the statutory dissolution of this sacred and declared *property* for forty-two years at least, and seven years after the author's death.

But for Macaulay's rhetoric, and his popular cry "Monopoly," Parliament would have refunded us our property for sixty years: and that may come as civilization and sound views of law advance. For, in this more enlightened century, the progress of intellectual property keeps step with advancing civilization and sound views of trade. Accordingly

in 1838, there was a faint attempt at international justice to authors, and in 1851, other nations began really to comprehend what France, the leading nation in this morality, had always seen, that the nationality of an author does not affect his moral claim to a property in his composition. But that question includes international stage-right, and must follow its legal history; which, however, will not detain us long from the main topic of these letters.

CHARLES READE.

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#### FOURTH LETTER.

SIR—Stage-right is a term invented by me, and first printed in a book called "The Eighth Commandment." The judges of the Common Pleas accepted it from me when I argued in person the question of law, that arose out of the first count in *Reade v. Conquest*. The term was necessary. Truth and legal science had not a fair chance, so long as the fallacious phrase "Dramatic Copyright" infested the courts and the books: its use, by counsel and judges, had created many misunderstandings, and one judicial error, *Cumberland v. Planché*. Language has its laws, which even the learned cannot violate with impunity: adjectives can qualify a substantive, but cannot change its substance; "Dramatic Copyright" either means the exclusive right of printing a play book, or means nothing: but, since the word "Copyright" covers the exclusive right of printing a play book, "Dramatic Copyright" does really mean nothing. It is an illogical, pernicious phrase, and, if any lawyer will just substitute the word "Stage-right," he will be amazed at the flood of light the mere use of a scientific word will pour upon the fog, that at present envelops history and old decisions, especially *Coleman v. Wathen*, *Murray v. Elliston*, and *Morris v. Kelly*, leading cases.

Stage-right, or the sole right of an author to produce and reproduce his *unprinted* dramas on the stage, is allowed by lawyers to have been a common-law right up to the date of 3 Will. IV. This admission shortens discussion. Henslowe's Theater was exceptional: in his days and Shakespeare's, most theaters were managed thus: established actors were the shareholders, and obtained plays on various terms; if an author was a member of the sharing company, he was paid by his share of the profits. The non-sharing author received a sum, or the overplus of a certain night, or both. The stage-right of an author vested in the company upon the common-law principle, that the paymaster of a production is its proprietor. To this severe equity we owe a literary misfortune; several hundred plays, many of them masterpieces, were kept out of print, and have been lost. The plays of Jonson, Fletcher, Shakespeare, and others, were confined to the theater until well worn. Messrs. Pope, Warburton, and Jonson, had not the key to Shakespeare's business, and wrote wildly—that he neglected his reputation, did not think his works worth printing, and, thanks to his flightiness, his lines come down to us more corrupt than the text of Velleius Paterculus: but the truth is, other plays were kept out of print as long as his were, and his text is by no means the only corrupt one of that day; and what those fine fellows call his flightiness was good sense and probity. He valued reputation, as all writers do. But he valued it at its value. The man wrote poems as well as plays, and did the best thing possible with both: of a poem the road to a little fame and profit was the printing press; of a play the way to great fame and profit was the theater; readers were very few, playgoers numerous beyond belief; observe, then, his good sense—he prints his *poems* in 1594, almost as soon as he can afford to do it: of his *plays* he prints a few, one at a time, and never till each play has been well worn in the theater. Observe his probity; he was a sharing author, and his fellow shareholders had an equitable lien on

his plays. To gratify his vanity by wholesale publication of his plays would have been unfair to them. This is connected with my subject thus: In his will, particular as it is, he did not bequeath his plays to any one. Therefore, *prima facie* they would go to his residuary legatee. But they did not go to her. Created by a shareholder in the Globe, and handsomely paid for year by year, they remained, by current equity, the property of the theater. The shareholders kept them to the boards for seven years after his death, and then printed them. His first editors, Hemming and Condell, had been his joint shareholders in the Globe. Now observe how the men of that day commented by anticipation on the romantic cant of recent pettifoggers, that centuries ago if any one printed a MS., he resigned all the rights he held while it was in MS. ! The copyright in Shakespeare's plays—it was not violated at all. The stage-right—it was not violated for some years after the plays were printed; but, as printing and publishing plays facilitate dramatic piracy, though they do not make it honest, some companies plucked up courage in 1627, and began to perform Shakespeare's dramas from the printed book. Then the holders of the stage-right went to the licenser of plays, and he stopped the company of the Red Bull Theater in that act of piracy. See "Collier's Annals of the Stage," vol. ii., p. 8. The Chamberlain's decision, in this matter, is of no legal value: but it shows historically that the moral sense and equity, which in the present day govern stage-right and copyright, were not invented by recent Parliaments; and the proof is accumulative, for ten years later—namely, in 1637—another Chamberlain is found acting on the same equity, and in terms worth noting. On application from the shareholders of the Cockpit in Drury Lane, the Chamberlain gave solemn notice to other companies not to represent certain plays, twenty-four in number, which "did all and every of them *property*, and *of right*, belong to that company." and he "requires all masters and governors of playhouses,

and all others whom it concerns, to take notice and forbear to impeach the said William Bieston (who represented the shareholders of the Cockpit) in the premises." Of these twenty-four plays some were in MS., and some printed. The notice is worded by a lawyer, and the declared object is to protect *property*. Malone in *Prolegomena to Shakespeare*, vol. iii., p. 158.

Soon after this the theaters were closed; and that made the readers of plays a hundred, where one had been, and deranged forever the equitable custom that prevailed before the Civil War. As soon as the theater reopened, dramatists made other and better terms, and those terms were uniform: they never sold their manuscripts out and out to the theater; from 1662 to 1694 they divided their stage-right from their copyright: they took from the theater the overplus of the third night generally at double prices, and they always sold the copyright to the booksellers. *Testibus* Downes, Pepys, Malone, Collier, and many others.

The following figures can be relied on: Stage-right—In 1694 Southerne obtained another night, the sixth. In 1705 Farquhar obtained a third night, the ninth, and authors held these three nights about a century. Dryden, under the one-night system, used to receive for stage-right about £100, and for copyright £20—£25. But his plays were not very popular. Southerne, for "The Fatal Marriage," A.D. 1694, stage-right two nights' overplus, £260, copyright £36. Rowe's "Jane Shore," stage-right three nights, copyright £50 15s. Rowe's "Jane Grey," stage-right three nights, copyright £75. Southerne's "Spartan Dame," stage-right not known, copyright £120, A.D. 1719. Cibber's "Non-Juror" and Smythe's "Rival Modes," stage-right three nights each, copyright a hundred guineas apiece from Bookseller Lintot. Fenton's "Marionne," stage-right and copyright, total £1,000, A.D. 1723. "George Barnwell," by Lillo, stage-right the overplus of three nights, copyright £105. This copyright Lillo assigned to Bookseller Gray and his heirs *forever*, on the 25th of November,



1735. The assignment is to be seen to this day, printed in full, in the edition of 1810. Dr. Young's "Busiris," stage-right three nights, copyright £84. Lintot. Copyright alone of Addison's "Drummer" (failed at the time on stage), £50. Dr. Young's "Revenge," stage-right large, copyright £50. "Beggars' Opera," stage-right £1,600, copyright £400. "Polly," by the same author, representation stopped by the Chamberlain, copyright £1,200. This proves little; it was published by subscription. "The Brothers," by Dr. Young, stage-right and copyright £1,000, the proportions not ascertained. "The Follies of a Day," by Holcroft, stage-right £600, copyright £300. "Road to Ruin," stage-right £900, copyright £400. Goldsmith's "Good-natured Man," stage-right £300, copyright £200. "She Stoops to Conquer," stage-right £500, copyright £300.

Now the other branch of fiction had but one market, copyright: yet the copyright of a story in prose or verse was less valuable than the copyright of a play. Milton's "Paradise Lost" was sold in 1657 for £5 per edition, which was rather less than the copyright of a play in 1662, and 80 per cent less than the stage-right. Defoe did not receive £105 for "Robinson Crusoe." Pope's "Rape of the Lock," first edition, £7. Second edition, £15. Dr. Johnson's "Irene," a very bad play, brought him £315. "Rasselas," an exquisite tale, only £100; and his true narratives, and best work, "The Lives of the Poets," only £200. Goldsmith's "Vicar of Wakefield," only £60, which compare with the copyrights of Goldsmith's plays; that were nevertheless less remunerative than his stage-rights. Of the two properties in a play, both so largely remunerated, neither could have been an empty sound; book-copyright, far less valuable, was, we know, secure; nor is it creditable that the stage-right was legally dissolved, if the author went into print: otherwise, the managers would have objected to the dramatist going into print, and the managers were clearly masters of the situation.

*Macklin v. Richardson* — A. D. 1770.

Macklin, author of a MS. farce, used to play it, but never printed. Richardson took it down shorthand from the actor's lips, and printed it. Macklin filed an injunction. Defendant tried the reasoning of Mr. Justice Yates: "Plaintiff had flown his bird; had given his ideas to the public, and no member of the public could be restrained from doing what he liked with them." This piece of thieves' cant failed, and the injunction was made perpetual. This is a pure copyright case; stage-right never entered the discussion. *Coleman v. Wathen*, and *Murray v. Elliston*, were neither copyright, nor stage-right, but bastard cases, where the wrong plaintiff came into court. They arose out of an imperfect vocabulary. "Words are the counters of wise men, but the money of fools," says Lord Bacon: the sole right of printing being represented by a good hard substantive, any mind could realize that right, but the sole right of representation not being represented by a substantive, the soft heads of little lawyers could not realize its distinct existence and heterogeneous character. One has only to supply the substantive, stage-right, and the fog flies.

*Coleman v. Wathen*.—O'Keefe wrote a play; by this act he created two properties assignable to distinct traders—a common-law right, stage-right; and a statutory right, copyright. He assigned the copyright to Coleman in terms that could not possibly convey the stage-right. Wathen played the play piratically at Richmond. This was an infraction of O'Keefe's stage-right, but not of Coleman's copyright: yet bad legal advisers sent not O'Keefe, but Coleman, into court as plaintiff.

*Murray v. Elliston*. The same error. Lord Byron, by writing "Sardanapalus," created stage-right at common-law, and copyright by statute. He assigned the copyright to Murray. He could have assigned the stage-right to Morris. By not assigning it to anybody he retained it. "Expressum facit cessare tacitum." Elliston played "Sardanapalus." If Murray had been well advised, he would have sent off a courier to Lord Byron, and ob-

tained an assignment of the common-law right of representation. Instead of that, this assignee of the copyright went to Eldon, and asked him to restrain a piracy upon the author's stage-right, which was actually at that moment the author's property and not Murray's. Now it is sworn in the Blue-book of 1832 that Lord Eldon never refused an injunction to a *manager*, who had purchased a stage-right. But of course when not a manager, but a *publisher*, the assignee of a statutory *copyright*, came to him to restrain an infringement of common-law *stage-right*, he declined to interfere, and sent the plaintiff to Westminster. The judges decided against this plaintiff, but did not give their reasons. That is very unusual; but how could they give their reasons? The poor dear souls had not got the words to explain with. Existing language was a mere trap. They had got one word for two distinct properties: so they very wisely avoided their vehicle of confusion, language, and *acted* the just distinction they could not *speak* for want of a substantive. There is no reason to suppose that they would have denied the title of a theatrical manager armed with an assignment of the stage-right in "Sardanapalus." There was a side question of abridgment in Murray v. Elliston, but that was for a jury. The judges had nothing to do with that: what they denied was Murray's right to bring an action; and they were right: he was no more the plaintiff than my grandmother was.

*Morris v. Kelly.* — This is the only stage-right case in the books. Morris, manager of the Haymarket Theater, was not a dealer in copyrights, but stage-rights. He produced, not an assignment of O'Keefe's copyright, as Coleman had done, but good *prima facie* evidence that he had purchased O'Keefe's stage-right. The very same judge, who declined to assist the assignee of Byron's copyright in a case of piratical representation, granted an injunction with downright alacrity when the assignee of O'Keefe's stage-right stood before him. The play, whose performance was thus restrained,

had been in print ever so long. Therefore, the theory that under the common law stage-right exists in a MS., but expires if the play is printed, received no countenance from that learned and wary judge, Lord Eldon. I knew the plaintiff, Morris: he was a most respectable man; he has sworn before Parliament that Lord Eldon constantly granted injunctions in support of a manager's stage-right. Morris's evidence is incidentally confirmed by "Godson on Patents:" he mentions an injunction, *Morris v. Harris*, which is not reported.

The sworn deposition of Morris, and the support given to it by the two recorded cases, *Morris v. Kelly*, and the unreported case mentioned by Godson, would be meager evidence, if opposed; but there is nothing at all to set against that evidence—not a case, not a dictum; and it accords with the prices of plays, play-books, and story-books in prose and verse, for 150 years, 1657—1810. Stage-right, therefore, in unprinted plays was, by admission, a creature of the common law and the natural product of common justice: the immense publicity given to the author's ideas by representation did not justify the public in carrying away the words to represent them in another theater. Printing a play would greatly facilitate piracy: but the power to misappropriate is not the right to misappropriate. That printing a play could actually forfeit so heterogeneous a property as stage-right is a conjecture. What little evidence there is runs against the forfeiture. Up to the Commonwealth, the Chamberlain, *alleging property*, stopped violation of stage-right in plays, whether they were printed or not. After the Restoration we have only the evidence of prices for 150 years, and Lord Eldon's judgment. He protected stage-right after publication, and his is the only judicial decision that touches stage-right at common-law, either in MSS. or play-books.

If, therefore, we are to go by impartial principles of law and the best direct evidence we can get, and superior weight of judicial authority, speaking *obiter* in *Donaldson v. Becket*, and *ad rem* in

Morris v. Kelly, stage-right in MSS., and even in printed plays, was like copy-right, a creature of common sense, common justice, and common law; but, like copyright, is now a nursling of statutes, thanks to a sudden onslaught by pirates. For, if law be ever so clear, but carry no penalty for breach, property is the sport of accident; so, on the close of the war in 1815, monopoly and piracy fell upon the dramatist, and destroyed him. Two theaters got the sole right to play legitimate pieces in London, and this made the author their slave. They robbed him of his three nights' overplus, and threw him a few pounds for a drama worth thousands. As to the provincial theaters, a single pirate drove all the dramatists clean out of them. Here is a copy of his public advertisement—and please observe it is unprinted plays he pirates wholesale:—"Mr. Kenneth, at the corner of Bow Street, will supply any gentleman with any manuscript on the lowest terms"—and here is an example:—Mr. Douglas Jerrold gives evidence to the Parliamentary Commission, Blue-book, p. 156:—"The Rent Day" was played in the country a fortnight after it was produced at Drury Lane, and I have a letter in my pocket in which a provincial manager said he would willingly have given me £5 for a copy, had he not before paid £3 for it to some stranger" (meaning Kenneth). The method of this caitiff is revealed in another quarter. "Kenneth went to the theater with a shorthand writer, who took the words down and the mise-enscène. He had copyists ready at home to transcribe, and the stolen goods were on their way to the provincial theaters in a few hours." But the London theaters also pirated the author. Moncrieff deposed that he produced "Giovanni," a musical piece, at a minor theater. Drury Lane, one of the two theaters that had a monopoly in legitimate pieces, sent into Surrey, stole this illegitimate piece, and played it in the teeth of the author. The manager made thousands by it, and brought out Madame Vestris in it, and she made thousands. It was only the poor author that was

swindled for enriching both manager and actor. That victim of ten thousand wrongs dared not resist this piece of scoundrelism; the managers would have excluded him altogether from the market, narrowed by monopoly.

But piracy has also its indirect effects. Even honest people will not give much for a property they see others stealing. By "The Rent Day" the theater cleared twenty thousand pounds; but the author only £150; and for "Black-eyed Susan," which saved Manager Elliston from bankruptcy and made him flourish like a green bay-tree, the author received only £60; whereas the actor, Cooke, who played a single part in it, cleared £4,000 during its first run, and afterward made a fortune out of it in the country theaters, which did not pay the author at all.

The Commissioners proceeded fairly. They heard the authors relate their wrongs, the monopolists defend their monopolies, and the pirates prove their thefts pure patriotisms *as usual*: and they reported to Parliament a deep decline of the British drama, and denounced as its two causes, the monstrous monopoly of the managers, and the insecurity of the author's property; on the latter head these are their instructive words: "A dramatic author at present is subjected to indefensible hardship and injustice, and the disparity of the protection afforded to his labors, when compared *even with that granted to authors in any other branch of letters*, seems alone sufficient to divert the ambition of eminent and successful writers from that department of intellectual exertion."

Thereupon Parliament, in the interest of justice and sound national policy, took away from the two patent theaters their wicked monopoly, and secured the property of a dramatist by a stringent enactment. The last link in the evidence is the statute itself. 3 & 4 Will. IV. did not create a property; it found one; and it found a law, but ineffectual. The title, which is evidence, when not contradicted in the body of an Act, runs thus:—"An Act to amend the laws relating to dramatic literary property." Then, as to the Act

itself, it protects the dramatist so sharply that if Parliament had been creating a right they would certainly have fixed a term. But they respected the common-law right they were nursing and left it perpetual; and this, *to my personal knowledge*, they did because of the growing disgust to the spoliation authors had suffered from preceding Parliaments. What this Parliament thought was, that stage-right existed forever in *unprinted dramas*; and they labored to extend the right to its just consequences, and protect it *forever* by special provisions. When the right had been a statutory right for ten years, it got curtailed; but Parliament, that took it from the common law, did not curtail it.

This is the mere legal history of two sacred properties up to the dates when Parliament, after profound consideration, and full discussion at wide intervals, did, without haste, or prejudice, or any of those perturbing influences with which Lord Camden corrupted the peers in his day, declare both these properties to be not monopolies, but personal properties. The full statutory definition amounts to this—"They are personal properties, so sacred during the term of their statutory existence that they carry a main feature of real property: the very proprietor cannot convey them to another, by word of mouth: and indeed a bare license to print, or to perform in a theater, concurrently with the proprietor, is void, unless given in writing." This distinct recognition of property was a return, in principle, to the common law, and the principle was too just and healthy not to grow and expand. Exceptional law is bad law, and stands still. Good law is of wide application, and therefore grows.

When one nation takes wider views of justice or durable policy than other nations, we do not say like our forefathers, "That nation is bare-brained." We say, nowadays, "That nation is *before* the rest;" implying that we shall be sure to follow, soon or late: and we always do. France saw thirty years ago that children must not be starved, and so murdered, by adulterated milk. She enlisted science;

detected, fined, imprisoned, the adulterators, and made them advertise their own disgrace in several journals. She was not mad, nor divine; she was human, but ahead. Prussia saw long ago that the minds of children must be protected, like their other reversionary interests. If, therefore, parents were so wicked as to bring children into the world and not educate them, she warned, she fined, she imprisoned, the indulgent and self-indulgent criminals. She was before other nations, that is all. England was the first to see free trade. She was before the rest of Europe, that is all. France saw, ages ago, that if A creates by labor a new intellectual production, and B makes one of its vehicles, the paper, and C and D set up, and work, the type, which is another vehicle, and print the sheets, and E (the publisher) sells the intellectual production, together with its vehicles, in volumes to F (the retail bookseller), and F sells them to the public, all these workers and traders must be remunerated in some proportion to what they contribute; and that the nationality either of A, B, C, D, E, or F is equally irrelevant: and it is monstrous to pick out A, whose contribution to the value is the largest, and say, *You* are a foreigner, and therefore you can claim neither property, nor wages, nor profit in France, though the smaller contributors, B, C, D, E, and F, have a right to be remunerated, *whether they are foreigners or not*. French jurists, with the superior logic of their race, saw this years ago, and in 1851 we all began to follow the leading nation, according to our lights: and they were blinkers; because we were not Latins, but Anglo-Saxons: God has not made us jurists; so the devil steps in, whenever we are off our guard, and makes us pettifoggers.

I am going to ask Brother Jonathan a favor. I want him to cast a side glance, but keen—as himself—at what passed between France and England from 1851–1875 inclusively, and then ask himself honestly whether the European things I shall relate do not appeal to his own

sense of justice and true public policy. The United States of America can teach us, and have taught us, many things. We can teach them a few things; not that we are wiser, but that we are older. Age alone brings certain experiences. In the United States piracy says, "I will get you a constant supply of good cheap books and dramas: it is your interest to encourage me, and not to foster literary poverty." Piracy says this in the United States, and is believed. Why not? It looks like a self-evident truth. But piracy *has* said this in Europe many times, and in many generations, and in many countries, and *has* been believed, and believed, and believed. But European nations have, by repeated trials, at sundry times, and in divers places, found out whether what piracy says is a durable truth, or a plausible lie. Thus, what in America is still a matter of intelligent conjecture, has become, in Europe, a matter of absolute, proved, demonstrated certainty; and, on this account, I ask American statesmen, for the first time in their lives, to bring the powers of their mind really to bear on the European facts I shall relate, and am ready to depose to on oath either before an American Congress or a British Parliament. CHARLES READE.

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#### FIFTH LETTER.

SIR — INTERNATIONAL COPYRIGHT AND STAGE-RIGHT, A.D. 1851-52.

It is instructive to look back and see how this great advance in justice and public policy was received by different classes.

1. The managers of our theaters, and the writers of good French pieces into bad English ones, showed uneasiness and hostility.

2. The British publishers, dead apathy. M. Pagnerre, President of the "Cercle de la Librairie," came to London to invite their hearty co-operation; "but found

them indifferent, except as regards America. To the moral bearings of the question they appeared tolerably callous." — *Athenæum*, September 20, 1851. This was afterward proved by the prodigious silence of their organs. On this, the greatest literary event of modern times, the *Quarterly Review*, the *Edinburgh*, the *British Quarterly*, *London and Westminster*, *Blackwood*, *Fraser*, the *New Monthly*, *North British*, *Christian Observer*, *Eclectic Review*, *Dublin Review*, *Dublin University Review*, delivered no notice nor comment, not one syllable. They shut out contemporary daylight, and went on cooking the stale cabbage of small old ages, by the light of a farthing candle.

3. This phenomenal obtuseness was not shared by the journals and weeklies. The journalists, though they have little personal interest in literary property, being remunerated in a different way, uttered high and disinterested views of justice and public policy. They welcomed the treaty unanimously. Accept a few articles as index to the rest. *Examiner*, 1851, November 29; 1852, January 24, September 4, October 30. *Leader*, 1851, November 15, November 29. *Sunday Times*, December 7, 1851. *Era*, same date. *Critic*, 1851, March 15, February 2, 1852. *The Times*, 1851, November 19 and November 26; also December 1, p. 4, col. 6. *Illustrated London News*, 1851, May 24. *Literary Gazette*, 1851, May 24, July 5, November 15, November 22, December 13. *Athenæum*, 1851, January 18, March 15 and 29, June 7, August 2, September 20, November 22. *Art Journal*, 1851, September and November. *The New York Literary World*, March, 1851. It would be agreeable to my own feelings to go through these articles; they bristle with hard facts proving that piracy upon foreigners is a mere blight on literature, and *a special curse to the nation the pirate lives in*. But, perhaps, a reader or two, like those St. Paul calls noble, will search the matter, and, to save time, the rest may believe me, writing with the notes before me. I will, however, select a good specimen. A let-

ter from Cologne, by an old observer of piratical translations in Germany, states that thirty years before date, good translations of Scott came into the German market; Bulwer followed, then Dickens. They were read with avidity; so, not being property, rival translations came out by the dozen. This cut down the profits, and the rival publishers were obliged to keep reducing the pay of the translators—till at last it got to £6 for translating 3 vols. Act 1.

Act 2. Bad translations, by incompetent hands, bad type, bad paper: valueless as literature: yet, by English reputation and cheapness, under-selling the German inventor. Death to the German novelist; a mere fraud on the German public—bad translations being *counterfeit coin*—and no good to any German publisher, because they all tore the speculation to rags at the first symptom of a sale. *Literary Gazette*, November 15, 1851.

The *Times*, November 26, 1851, supported the proposed treaty in a leader taking the higher ground of morality, justice, and humanity, but omitting sound national policy. The leader contains such observations as these:—"Intellectual produce has been the only description of goods excluded from equitable conditions of exchange."—"Genius has been outlawed. The property it should have owned has, by the comity of nations, been treated as the goods of a convicted felon." After giving examples of French, English, and American genius pillaged, the writer goes on thus:—"Still worse, copies were multiplied at a cheap rate in Brussels, and disseminated all over the Continent."—"There has long existed a profound immorality of thought with regard to the productions of genius."—"How short-sighted the policy has been, the example of Belgium evinces. The effect of its habitual piracy has simply been the extinction of literary genius throughout Belgium."

The *Illustrated London News*, May 24, 1851, welcomed international justice, and put the logic of international larceny rather neatly:—"An English book was

treated like any other commodity produced by skill and industry, and so was a foreigner's watch; but not a foreigner's book."

In a word, the British journalists, all those years ago, showed rare enlightenment, and personal generosity; for there are no writers more able, and indeed few so surprising to poor Me, as the first-class journalist, whose mind can pour out treasures with incredible swiftness, and at any hour, however unfavorable to composition; bed-time, to wit, or even digestion-time. Yet these remarkable men, in their business, sacrifice personal reputation, and see it enjoyed by moderate writers of books: this would sour a petty mind, and the man would say, like Lord Camden, 'Let authors be content with the reputation they gain; and what is literary property to me? I have no stake in it.' But these gentlemen showed themselves higher-minded than Lord Camden; they silenced egotism, and rose unanimously to the lofty levels of international justice and sound policy; and it would ill become me, and my fellows, in Great Britain and America, to forget this good deed, or to pass it by without a word of gratitude and esteem.

4. With less merit, because we were interested, every author worthy of the name bailed the new morality with ardor. The American authors in particular conceived hopes that justice and sound policy would cross a wider water than the ditch which had hitherto obstructed the march of justice in Europe; and they organized a club to support the movement, with Mr. Bryant for president.

I myself had glorious hopes I now look back on with bitter melancholy. I was one of the very few men who foresaw a glorious future for the British drama. It was then so thoroughly divorced from literature, and so degraded, that scholars in general believed it could never again rear its head, which once towered above all nations. But I was too well read in its previous fluctuations, and, above all, in their *causes*, to mistake a black blight on the leaves for a decayed root. England is by nature the most dramatic country in the

world; piracy, while it lasts, has always been able to overpower nature, and always will; but, piracy got rid of, nature revives. The condition of the theater, in 1851, was this—a province of France, governed by English lieutenants, writers without genius, petty playwrights, public critics, who could get their vile versions of a French play publicly praised by the other members of their clique. The manager was generally an actor thirsting for this venal praise. If he produced an original play, he was pretty sure not to get it; but, by dealing with the clique for stolen goods, he secured an article that suited him to a T; it was cheap, nasty, praised. The first-class theaters, whose large receipts qualified them to encourage the British inventor, barred him out with new French plays, or old English ones—anything they could steal; yet they could spend £80 a night for actors and singers.

Haymarket Theater, 1851. Opened with Macready's farewells. Began its *pieces*, February 4, with "Good for Nothing" (French); February 6, "Presented at Court" (French); March 3, "Don Cæsar de Bazan" (French); March 8, "Othello;" March 25, "Tartuffe" (French); March 27, "Make the Best of It" (French); April 21, "Arline" (a piratical burlesque of an English opera); May 3, "Retired from Business" (English, *perhaps*); May 26, "Crown Diamonds" (French); June 18, "The Cadi" (French); June 23, "John Dobbs" (French); June 24, Mr. Hackett, an American actor, in Falstaff, etc.; July 1, "Grimshaw, Bagshaw, and Bradshaw" (French); July 7, "Son and Stranger" (German); August 13, "The Queen of a Day" (I don't know whether original or French); August 21, "His First Champagne" (French); "Tartuffe" and "The Serious Family" (both French); September 10, "Grandmother Grizzle" (French); October 11, "La Sonnambula" (Italian), "Grandmother Grizzle" (French), and "Grimshaw," etc.; October 14, "Sonnambula" and "Mrs. White" (French); November 17, "Charles the Second" (French),

"God Save the King"—a Jacobite song, the words and treble by Henry Carey, the bass by Smith (Carey sang "God Save King James" till the tide turned against the Stuarts, and carried this melody with it, lines and all)—"Rough Diamond" (French); November 18, "The Ladies' Battle" (French); November 25, "The Two Bonnycastles" (French); November 26, "The Beggar's Opera" (Old English); December 9, "The Man of Law" (French); December 2, "The Princess Radiant" (doubtful).

The Lyceum. January 1 to March 24, "King Charming" (French story dramatized), and farces; March 24, "Cool as a Cucumber" (French); April 21, "Queen of the Frogs" (French fairy tale); May 20, "Only a Clod" (French); June 4, "Court Beauties" (French); October 2, "Game of Speculation" (French), "Forty and Fifty" (French), "Practical Man" (English, I think); December 26, "Prince of Happy Land" (French story dramatized). This is no selection, but the whole business of these first-class London theaters, and a true picture of the drama in the City of Shakespeare.

I comprehended the entire situation, and saw that the new treaty was a god-send, and might give England back her drama, if supported heartily. I visited France, and many of her dramatists; we hailed the rising sun of justice together, and, as good words without deeds are rushes and reeds, I gave Auguste Maquet £40 for his new drama, "Le Château de Grantier."

The promised Act of Parliament came out. Alas!—what a disappointment! A penny dole, clogged with a series of ill-natured conditions. It was like a mother's conscience compelled to side with a stranger against the child of her heart—"Oh, they all tell me he is a blackguard; but he *is* such a darling." It was full of loopholes for the sweet pirate: full of gins, and springes, and traps for authors and honest traders.

International Copyright.—The State sells to the foreign author the sole right of translation and sale in England, for a

petty period, on cruel conditions. 1. He must notify on the title-page of the original work that he reserves the right of translation. 2. He must register the original work at *our Stationers' Hall*—a rat-hole in the City—and deposit a copy gratis within three months after first publication. 3. Must publish authorized translation in England within one year. 4. Must register that translation, and deposit a copy in our rat-hole, within a certain time.—15 & 16 Vict. cap. 12. In short, the State is “*alma mater*” to the rascal, “*injusta noverca*” to the honest trader.

The poor wretch, protected after this fashion, glares and trembles, and says to himself, “*Incedo per ignes.*” The first stipulation is reasonable, and *all-sufficient*; the rest are utterly superfluous, vexatious, oppressive, *ill-natured*. If the foreign author and his assignee escape by a miracle all these gins, springes, and author-traps, the State secures them for five years only what was their own forever *jure divino, and by the law of France*, and by the universal human law of productive, unsalaried labor, without any gins, springes, or ill-natured, catch-penny conditions whatever.

International stage-right. 15 & 16 Vict. cap. 12.

Stipulations 1, 2, and 4, same as above.

3. Must *publish* the authorized translation in England within *three months* of registering original play, etc.

In this clause, and indeed in No. 2, you see the old unhappy confusion of stage-right with copyright. Why, in the name of common sense, is the dramatist, because he objects to be swindled in a *theater*, to be compelled to *publish*? Publication is not a dramatist's market. There is no sale for a play-book in England nowadays. How can the poor wretch afford to translate and *publish* a *translated play*, of which the public would not take six copies, though he should spend £100 advertising? Such imbecile legislation makes one's blood boil. Was ever so larcenous a tax on honesty? It is a pecuniary premium on Theatrical Piracy; that kind of pirate

does not print; he merely steals and sells to the Theater; so his “*alma mater*,” and our “*injusta noverca*,” does not persecute *him* with any tyrannical and irrelevant tax applicable to *copyright*, but not to *stage-right*. It only bleeds the everlasting victim, the honest author.

But there was worse behind. When the victim of ten thousand wrongs has been bled out of all the money it costs to publish an unsalable translation, and has escaped the gins, springes, author-traps, and probity-scourges, and looks for his penny dole, his paltry five years' stage-right, then he is encountered with a perfidious proviso.

“Nothing herein contained shall be so construed as to prevent fair imitation or adaptation to the English stage of any dramatic piece or musical composition published in any foreign country, but only of piratical translations.”

Now, the English theater has seldom played a translation; the staple piracy from 1662 to 1852, and long after, was by altering the names of men and places from French to English, shortening and vulgarizing the dialogue, and sometimes combining two French pieces, and sometimes altering the sex of a character or two; sometimes, though very rarely, adding a character, as Mawworm in “*The Hypocrite*” adapted from “*Tartuffe*.” But whether servile or loose, the versions from French pieces were *adaptations*, not honest translations; and all the more objectionable, since here a dunce gratifies his vanity as well as his dishonesty, and shams originality, which is a fraud on the English public as well as on the French writer; moreover, it is the adaptation swindle that turns French truths into English lies. The Legislature, therefore, appeared to say this:—“The form of piracy most convenient to the English dramatic pirate seems to be not direct reproduction; but colorable piracy. We will profit by that experience. We will compel the honest dealer to translate literally; we will put the poor devil to the expense of *publishing* his literal translation. No manager will ever play his literal trans-



lation. However, to make sure of that, we now legalize piracy in the established and fashionable form of fair adaptation or imitation."

This, after one's experiences of the Anglo-Saxon pettifogger, seemed to reveal that animal at work defiling the scheme of the Latin jurists, and ensnaring his favorite victim, an author's property: and so it turned out to be. We soon learned how the trick had been done; a piratical manager had employed a piratical writer to crawl up the back stairs of the House of Commons, and earwig Lord Palmerston, and get this proviso inserted to swindle the French dramatist. The Minister, I need hardly say, did not realize what a perfidy he was lending himself to, and the French Government had no chance of divining the swindle, because this thief's cant of "fair adaptations and imitations" is entirely English; the Frenchmen did not even know what the words meant, nor are they translatable; "imitations faites de bonne foi" has quite a different sense from "fair imitations;" and how could they suspect that a great nation, treating with them on professedly higher views of national justice than had heretofore prevailed, could hold out its right hand to receive protection of its main intellectual export—magazines, reviews, histories, biographies, novels—yet with its left hand slyly fitch away the main intellectual export of the nation it was dealing with, in time of peace and in declared amity.

History, thank God, offers few examples of such turpitude. But why? It is only because legislators, in protecting any other class of property, are never so weak as to take advice of pirates—a set of God-abandoned miscreants, whose advice to us, and to you, Brother Jonathan, and to any other nation on the globe, is always a compound of Newgate and Bedlam.

When the French did find the Satanic juggle out, they concealed neither their disgust nor their contempt. They reminded each other that their fathers had used a certain phrase, "Perfide

Albion," which we had treated as a jest. Was it such a jest, after all? Could we discover a more accurate epitaph for this piece of dastardly juggling?

Here is a distich they applied :

Comptez donc sur les traités signés par  
le mensonge.

Ces actes solennels avec art préparés ;

and here a quatrain on the "fair imitations" that our Legislature protected and secured *gratis* as soon as ever it had decoyed the poor honest gull into the expense of publishing the translation that no creature could try to read nor theater would play :

Quoiqu'en disent certains railleurs,  
J'imite, et jamais je ne pille.

Vous avez raison, Monsieur Drille :

Oui, vous imitez—les voleurs.

The Satanic proviso that disgraced us in the eyes of a noble nation recoiled, as it always does and always will, Brother Jonathan, upon the nation that had been inveigled into legalizing piracy. It postponed the great British drama for another quarter of a century. Colorable piracy of French pieces being legalized instead of crushed, drove the native dramatist off the boards. *The shops* were limited by monopoly (6 and 7 Victoria), and piracy enabled a clique of uninventive writers to monopolize *the goods*. If, by a miracle, a genuine dramatist got a play played, then piracy punished him in another way. The price was not a remuneration, but a punishment, of labor and skill. I saved a first-class theater from bankruptcy, with a drama. I received only £110; and the last ten pounds I had to county-court the manager for: gratitude is too good a thing to waste on that ethereal vapor, ycleped an author. For "Masks and Faces," a comedy which has survived a thousand French pieces, and more, Mr. Taylor and I received £150. In France it would have been £4,000. For "Two Loves and a Life," a drama that has been played throughout Anglo-Sax-

ony, and is played to this day, we received £100. In France it would have been worth £5,000. The reason is, a manager was—through bad legislation—a fence, or receiver of stolen goods, and he would only pay fence's prices even to inventors. I am known, I believe, as a novelist; but my natural gift was for the drama: my greatest love was for the drama; yet the Satanic proviso, and the colorable piracy it inflicted on the nation, drove me off the boards, and many other men of similar caliber.

I beg attention to this, not as a personal wrong; in that light I should be ashamed to lay it before the English and American public, but as one of a thousand useful examples, that nature gives way before piracy. Able men always did, and always must, turn from their natural market, choked, defiled and lowered, by piracy, to some other less congenial business, where there is fair play. This is how American literature is even now depopulated. I invite evidence from American authors.

The Satanic proviso injured the drama. A French truth, I repeat, may be an English lie: and, as the adapter puts English names of men and places to French pieces, this happened eternally. The maids and wives presented on the English stage were called Mrs. and Miss; but the situations and sentiments were French. Thus the women of England were habitually misrepresented. Now the public gets tired of a shop that keeps selling false pictures of familiar objects.

The Satanic proviso injured our drama in a third way. Property never blocks the theater; piracy always. "The Courier of Lyons" was played in nearly every London theater, one year, 1855; and made the theater unpopular by monotony. "The Corsican Brothers" was played in every London theater without exception, and in many of them at the same time. In the drama's healthy day each theater played its own pieces. But, under the hoof of piracy, variety is crushed: in one month, viz., May, 1852, the Princess's Theater played "The

Corsican Brothers," Surrey Theater "Corsican Brothers," Haymarket "O Gemini!"—a burlesque on the subject, and Olympic "Camberwell Brothers." Adelphi, which had played "The Corsican Brothers," was playing "The Queen of the Market" ("La Dame de la Halle"); Strand, "The Lost Husband" ("La Dame de la Halle"); Lyceum, "Chain of Events" ("La Dame de la Halle"). As for "Don Caesar de Bazan" that piece entirely blocked the first-class London theaters for months: and I, who write these lines, fled to Paris, where "Don Caesar" was property, merely to get away from the doomed city, where "Don Caesar," not being property, had become a monotony-scourge, and an emptier of theaters into music-halls, public-houses and Baptist chapels.

In 1859, though I had left the theater in despair, I still thought it my duty to combat the Satanic proviso for the benefit of the nation and of other dramatists, whom it would otherwise stifle, as it had me. I wrote a book denouncing it on the two grounds of justice and public policy: and I appealed, in that book, to the commercial probity and good sense of the House of Commons, and the sense of honor in legal matters which resides, theoretically, in the bosom of the Peers. I sowed good seed: and it fell among stones. I hope for better luck this time. But were I sure to fail, and fail, as long as I live, I would still sow the good seed, that cannot wholly die; for it is truth immortal.

There being, at that time, a great outcry against American piracy, I publicly denied that the United States had ever been guilty of any act so dishonest, disloyal and double-faced, as Great Britain had committed by treating with France for international rights, and contriving, under cover of that treaty, to steal the main intellectual property of that empire; and I offered to bet £70 to £40 this was so. "The Eighth Commandment," p. 156. I refer to that now, because it is a fair proof I am one, who can hold the balance between my native country and

the United States; and such, I think, are the men to whom that great Republic should lend an ear; for such men are somewhat rare: they have some claim to be called citizens of the world, and are as incapable of deliberate injustice, as sham patriots are incapable either of national justice, or national wisdom.

In 1866 I was examined, before the House of Commons, by Mr. Goschen, and cross-examined by members rather hostile to my views. I answered 150 questions, most of them judiciously put; and full a third of them bore on the effects of national piracy in *injuring the nation that pirates*. Cross-examination trebles the value of evidence; and therefore I recommend it with some confidence to the study of those, who care enough for the truth in these matters, to prefer the sunlight of experience to that jack-o'-lantern, *à priori* reasoning. I have no time to quote more than one answer: "If you strike out that clause (the Satanic proviso), I pledge you my honor as a gentleman that you will see a great drama arise in England." (Report of the Select Committee on Theatrical Licenses. Price 3s. 8d. Index 9d. Hansard, Great Queen Street, London.)

1875.—Parliament has rescinded the Satanic proviso, and thereby laid the first stone of a great British drama, as time will show.

Between 1852 and 1875 I felt, with many others, that the American Legislature is cruel and unjust to authors; but I have never urged it with any spirit, because my noble ardor was chilled by a precept of the highest possible authority—to say nothing of its morality and good sense. I think it runs to this effect, errors excepted: "Take out first the beam that is in thine own eye, and then shalt thou see clearly to take out the mote in Brother Jonathan's eye."

Now this year, Parliament having at last taken the beam out of my eye, I do see my way to address a remonstrance to that great nation, which hangs aloof from modern progress, and selects for hatred, contempt, and outlawry, while living,

those superior men, whose dead bones it worships.

CHARLES READE.

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### SIXTH LETTER.

SIR—INTERNATIONAL COPYRIGHT WITH AMERICA:—The question has been mooted for forty years, and various British Governments have made languid movements toward obtaining justice for British and American authors. These have failed; languor often does: so now faint-hearted souls say "Oh, it is no use: you might as well appeal to the Andes against snow, or to a hog in his neighbor's garden for clemency to potatoes, as ask the Americans for humanity to British authors."

Before I can quite believe this, they must write out of my head, and my heart, that this American people, torn by civil war, and heart-sore at what seemed our want of principle and just sympathy, sent over a large sum of money to relieve the British cotton-spinners, whom that war, and their own imprudent habits, had brought low. Moreover, I can never despair of a cause, because it has been bungled for forty years. There is a key to every lock; and, if people will go on trying the wrong keys for forty years, that is no proof that the right key will fail for forty more. To find the right key, we must survey—for the first time—the whole American situation. It comprises five parties: the judges—the Legislature—the authors—the publishers—the people.

The *judges*—what, in speaking to a Frenchman, we call the law of England, is, in America, the common law of both countries: our common ancestors grew it: the American colonists carried it in their breasts across the Atlantic; and it has the same authority in the States as here: it bows to legislative enactments; but, wherever they are silent, it is the law of the land. An American lawyer, who cites it with the reverence it really deserves, does not pay *us* any compliment.

He is going back to the wisdom and justice of his own ancestors. Now Congress not having meddled with *international* copyright or stage-right, an English author's copyright in New York, A.D. 1875, is what it was in London before the Statute of Queen Anne, and his stage-right what it was before 3 and 4 William IV.

Half our battle is won in the courts; for the American judges concede to an English author stage-right in unprinted dramas. "Keene v. Wheatley;" 9 American Law Reg. 23. "Crowe v. Aitken;" 4 Am. Law Review, 23, and other cases. And they concede copyright in unpublished manuscripts ("Palmer v. De Witt," etc.).

If, under the latter head, they tied the sole right of printing to the paper and handwriting of the manuscript, our case would be hopeless. But they disown this theory, and give a British author the *incorporeal right*, that is, the sole right to print his composition, *though the pirate may be in as lawful possession of a copy as is the public purchaser of a printed book*. I shall now prove that full international copyright is included in that admission.

There are three theories of copyright at common law:

The washerwoman's theory.

The lawyer's theory.

The mad sophist's theory.

**THE WASHERWOMAN'S THEORY.**—That there can be no incorporeal to property at common law. An author's manuscript is property. If another misappropriates it, and prints the words, that is unlawful; but the root of the offense is misappropriating the material object, the author's own written paper. Thus, if a hen is taken unlawfully, to sell the eggs she lays after misappropriation is unlawful.

The lawyer's and the sophist's theory both rest on a fundamental theory opposed to the above—viz., that an author's mental labor, intellectual and physical, creates a mixed property, words on paper; that the words are valuable as vehicles of

ideas, and are a property distinct from the paper; and only the author has a right to print them under any circumstances. Examples: Pope wrote letters to various people: they paid the postage; the paper, and the inked forms of the letters, became theirs, and ceased to be Pope's. Curll possessed this corporeal property lawfully. Yet Pope restrained the printing. "Pope v. Curll."

Lord Clarendon gave a written copy of the famous history to a friend. That gentleman's son inherited it. Had Lord Clarendon's heir misappropriated this written paper, he could have been indicted, and sent to jail. Yet, when the lawful possessor of the transcript sent it to press, with the words on it not written by the author's hand, but conveying the author's ideas, Lord Clarendon's heir sued him, nearly a century after the history was composed, and obtained heavy damages. "Duke of Queensberry v. Shebbeare." There are many other cases, including "Macklin v. Richardson," and "Palmer v. De Witt," lately tried in New York. But this peculiar position in "Queensberry v. Shebbeare" is the best to scrutinize. A is the lawful possessor, by inheritance, of a transcript. B is the author's heir. If B steals A's transcript, he can be *indicted*; if A prints his own transcript, he violates the pure incorporeal copyright of B, and cannot be indicted, but can be sued on the case for violation of a property as incorporeal and detached from paper and all other material substance, as any that was confirmed to an author by Queen Anne's Statute, or the Acts of Congress in re.

**THE LAWYER'S THEORY.**—When an author exerts this admitted incorporeal right, by printing and publishing, a new party enters, the public purchaser; he acquires new rights, which have to be weighed against the author's existing right strengthened by possession; for the author has created a large material property under his title, which would be destroyed as property if his copyright was forfeited by publication.

How our ancestors dealt with this situ-

ation is a simple matter of history; therefore we distrust speculation entirely and go by the legal evidence.

THE MAD SOPHIST'S THEORY rejects with us the washerwoman's theory, and concedes that an author has, at common law, intellectual property, or copyright, thus abridged—he has the sole right, under any circumstances whatever, to print his unprinted words. But, when he publishes, he sells the volumes without reserve: he cannot abridge his contract with the reader, and retain the sole right under which he printed. He has abandoned his copyright by the legal force of his act, and this is so self-evident that the sophist declines to receive evidence against it. Whether copyright in printed books existed before Queen Anne's Act, he decides in a later age, whose modes of thinking are different, by *à priori* reasoning, and refuses to inquire how old the word "copy" is, or what is meant under the Tudor and Stuart Princes, in acts of State, licensing Acts, and legal assignments, or to look into the case of "Roper v. Streater," "Eyre v. Walker," or any other legal evidence whatever.

This was the ground taken by Justice Yates in "Millar v. Taylor." He founded a school of copyright sophists, reasoning *à priori* against a four-peaked mountain of evidence. He furnished the whole artillery of falsehood, the romantic and alluring phrases, "a gift to the public," etc., the equivoques, and confusions of ideas, among which the very landmarks of truth are lost to unguarded men.

Since it is this British pettifogger who, in the great Republic, stands between us and the truth—between us and law—between us and morality—between us and humanity—between us and the eighth commandment of God the Father—between us and the golden rule of God the Son, Judge Yates becomes, like Satan, quite an important equivocator, and I must undeceive mankind about Judge Yates and his fitness to rule the Anglo-Saxon mind.

In "Millar v. Taylor," the case that

has given Judge Yates so great a temporary importance in England and America, the main question was a simple historical fact: did copyright in printed books, which preceded legislation in France and Holland, also precede in England a certain enactment called Queen Anne's Statute? No *à priori* reasoning was needed here. The Latin jurists used none to ascertain the identical fact in their own country, and therefore, with no better evidence than we have, they are *unanimous*. We are divided by *à priori* reasoning on fact.

In "Millar v. Taylor" two modes of searching truth encountered each other on the narrow ground, each party rejecting the washerwoman's theory, and admitting pure copyright, but disputing whether in England it was forfeited by publication.

One method is by *a priori* reasoning, and was the method of the Greek sophists, and medieval schoolmen.

The other is by observation, and evidence, and is the method of Lord Bacon and his pupils.

Scholars sometimes permit themselves to talk as if the former method was universal in the ancient world. That statement is excessive. Plain men, in their business, anticipated the Baconian method thousands of years ago, as the jury in "Millar v. Taylor" followed it. The Greek sculptors anticipated it, and their hands reached truth, while the philosophers, their contemporaries, were roaming after their will-o'-the-wisp,

And found no end in wandering mazes lost.

There was the pity of it: those, who, by learning, leisure, and ability, were most able to instruct mankind, were enticed by bad example and the arrogance of the intellect, into *a priori* reasoning, and diverted from docile observation; and so they fell into a system, that kept the sun out and the door shut.

The other system, in 250 years, has enlightened that world, which lay in darkness.

To test the systems, take any period of 400 years before Lord Bacon, and esti-

mate the progress of the world in knowledge and useful discoveries. Then take the 250 years after Lord Bacon. I vary the figures, out of justice, to allow for increased population.

Lord Bacon was the savior of the human intellect. He discouraged plausible conjecture, or *à priori* reasoning, and taught humble, close observation. Thereby he gave the key of the heavens to Newton, and the key of Nature, and her forces, to the physical investigator, and the prying mechanic. Man began to cultivate the humble but wise faculty of observation: it grew by cultivation, and taught him how to wrestle with Nature for her secrets, and extort them. There is scarcely a branch of useful learning, that method has not improved 500 per cent. Of course, even since Lord Bacon, prejudice has, in holes and corners, resisted observation: but the final result is sure. *A priori* reasoning bled people to death with the lancet for two centuries after Bacon: but Bacon has conquered the lancet. A handful of Jesuits will tell you that the historical query, whether one Bishop of Rome has contradicted another in faith, must not be learned from contemporary history, but evolved by internal thought a thousand years afterward. Well, that medieval crotchet will go, and Bacon stay. And so it must be, sooner or later, with everything, copyright at common law—the national expediency of piracy—the infallibility of men with miters—*everything*. The world has tasted Bacon. It will never eat cobwebs again for long.

To put the matter in another form—Such of our common ancestors, Brother Jonathan, as invented phrases, were nearly always acute observers. They called a prodigal “a spendthrift,” having observed how often that character dissipated the savings of another man. A quarrel, with almost divine sagacity, they called not “a difficulty,” which is a brainless word, but a *misunderstanding*, and they called a madman, *a man out of his senses*. Why not out of his reason? Well, they had *observed*. The madman who did not fly at their throats, but gave them time to study him, did nothing but

reason all day, and not illogically; but, blinded by some preconceived idea, could not see, nor hear, nor *observe*. Intelligent madmen have busy minds, and often argue speciously, but start from some falsehood contradicted by their senses. The senses are the great gates of wisdom, and to the lunatic these gates are always more or less closed by prepossession. Now events distant by space or time cannot be seen nor heard by us, but by persons present. Where they get recorded *at the time*, the senses of the eye witnesses have spoken; and the pupil of Lord Bacon must have recourse to the senses and report of those persons. Into that evidence he peers, and even cross-examines it, if he can; and he can sometimes; for, when a dead witness makes an *admission*, it has the effect and value of a truth extracted from a living witness against his will. Where contemporary evidence is abundant, and manifold, it is very reliable, and the man, who opposes *a priori* reasoning, or preconceived ideas, to it, IS A LUNATIC IN THE SECOND DEGREE.

I feel that I am giving a large key to unlock a small box; but small keys have failed: and Cicero says well, “Errare, falli, labi, tam turpe est quam decipi.” I will, therefore, in my next give The Baconian method *v.* the method of the ancients, or Millar *v.* Taylor, showing how an English judge proved, out of the depths of his inner consciousness, that copyright at common law could not have existed, even as a waggish Oxford professor proved, by the same method, that Napoleon Bonaparte could never have existed.

CHARLES READE.

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#### SEVENTH LETTER.

SIR—The poet Thomson, in 1729, assigned the copyright of “The Seasons” to Millar, his heirs and assigns *forever*. In 1763 Taylor printed “The Seasons” and Millar sued him; the case, as han-

dled, turned mainly on whether copy-right in printed books was before Queen Anne's statute. This being a mixed question of law and fact, the opinion of the jury was taken upon documentary evidence, the records of Stationers' Hall, and many ancient assignments of copy-right drawn up by lawyers long before the statute, and others long after it. The defendant had powerful counsel; so this evidence doubtless was sifted, and kept within the rules. The jury brought a special verdict, in which are these words—"And the said jurors, upon their oath, further say that before the reign of her majesty Queen Anne, it was usual to purchase from authors the perpetual copyright of their books, and assign the same for valuable considerations, and to make the same the subject of family settlements." The jury here were within their province; they swore not to a matter of law, but to a custom, in which, however, lawyers at different epochs had taken a part by drawing the legal assignments. Most of this evidence has melted away, but the sworn verdict of twelve unprejudiced men of the world remains, and, by the law of England and America, overpowers and indeed *annuls*, all *judicial conjectures* in this one matter of fact. On this basis the judges discussed the *law*, and Lord Mansfield, Mr. Justice Willes, and, above all, *Mr. Justice Aston*, uttered masterpieces of learning, wisdom, close reasoning, and common sense, that the instructors of youth in Harvard, Oxford, etc., would do well to rescue from their dusty niche, and make them teachers of logic, law, and morals, in universities and schools. They built on all the rocks: 1st, on the voice of conscience; on Meum and Tuum; on the sanctity of productive labor; on the title of laborer A to the fruits of A's labor, and the *primâ facie* absence of a title in B to the fruits of A's labor *without a just equivalent*. 2d, on the *universal admission* that an author alone has a right to print his written words, and on the legal *consequence* that by exercising this sole right and creating a large *material* property under it, he keeps the right alive,

not dissolves it, since common law abhors divestiture of an admitted right, and loss of property created by invitation of law.

From these *principles* they went, 3dly, to special *evidence*, and traced the history of the exclusive right to print published books; showed it at a remote period called by the very technical and legal name the statute adopted centuries later; proved the recognition of this right by name in proclamations and decrees, and Republican ordinances, and three parliamentary licensing Acts under three different sovereigns prior to Queen Anne's statute; the entire absence of dissent in the old judges, and their uniform concurrence when speak they did; their *dicta in re*, and their *obiter dicta*—as that "the statute of Charles II. did not give the right (copyright), but the action;" and "of making title to a copyright," and of "a copy" being a property paramount to the king's grant, and so on—and then they cited law cases in a series, beginning with "Roper *v.* Streater," long before the statute, and continued in equity long after the statute upon titles created long before the statute, as "Eyre *v.* Walker," where the assignment of the copyright was in writing dated 1657, and "Tonson *v.* Walker," where the assignment (Milton's "Paradise Lost") was dated 1667: "Motte *v.* Falkner," etc. They also cited the preamble, or historical preface, of the statute itself, and other matters. This reveals the Baconian method, and the true legal method, which goes by principles resting on large induction, and applicable to all citizens, impartially; and by the best direct evidence accessible. Against the Washerwoman's theory they cited "Pope *v.* Curl," and "Queensbury *v.* Shebbeare." Judge Yates accepted, though rather sullenly, "Pope *v.* Curl," and "Queensbury *v.* Shebbeare," and, in stating his own theory, foreswore the washerwoman. He admitted that, before the statute, if any person printed an author's words without his express consent to print them, he acted unlawfully, *although he came by them by legal means, as by loan or devo-*

lution. The word "devolution" he used expressly to keep within "Queensbury v. Shebbeare" (4 Burroughs, 2379).

But from that point he parted company with the judges and the jury, and undertook to prove, out of the depths of his inner consciousness, that the incorporeal right, which in "Queensberry v. Shebbeare," prevailed against sixty years' lawful possession of a written copy, could not *possibly* have continued against five minutes' lawful possession of a *printed* copy:—(*risum teneatis, amici.*)

Yates.—"Goods must be capable of possession, and have some visible substance: for, without that, nothing is capable of actual possession." "Nothing can be an object of property which has not a corporeal substance," etc. This proposition repeated about six times.

"The author's unpublished manuscript is corporeal. But after publication by the true proprietor, the mere intellectual ideas in a book are totally incorporeal, and therefore incapable of any distinct separate possession; they can neither be "*seized, forfeited, nor possessed, etc.,*" and this discovery he repeated often, and rang the changes. "Can the sentiments themselves, apart from the paper, be taken in execution for a debt? In case of treason, can they be forfeited? If they cannot be seized, the sole right of publishing them cannot be confined to the author. There can be no property where there can be no forfeiture," etc., etc.

Behold the lunatic in the second degree! His senses, if he had not been out of them, revealed that copyright in printed books existed by law while he spoke, and yet that ideas were incorporeal and could not be *seized* nor *forfeited*; nor the sentiments taken in execution. The nature of ideas throughout creation was the same before and after Queen Anne's little trumpery statute; yet here is a lunatic in the second degree, who either says Queen Anne's Parliament had repealed God Almighty in this particular, or says nothing at all: for the sole point in dis-

pute is, Did copyright in printed books exist among English human beings, before Queen Anne's statute, as it did among French human beings, before any special enactment—or did it exist in written works only? Who but a lunatic in the second degree cannot see that the sole right of printing unpublished ideas, is the very same property in the *ideas* as the sole right of reprinting the same ideas, and that all publication can do is to let in another claimant to the right of printing, viz., the public purchaser.

As to all his "galimatias" there can be no property detached from a visible substance—the fool has gone and blundered into THE WASHERWOMAN'S THEORY, and blundered out of the insane sophist's. The insane sophist began with disowning the washerwoman. *She*, poor wretch, is contradicted not only by "Roper v. Streater," but by "Queensberry v. Shebbeare," and "Pope v. Curl," the cases Yates admits. But Lord Mansfield colared the insane sophist and would-be washerwoman on this, and literally pulverized his washerwoman's twaddle, with fifteen sledge-hammer sentences beginning thus:—"It has all along been expressly admitted," and ending "under a commission of bankruptcy."

I do not cite the pulverizing paragraphs, because there is no need. Yates's attempt to smuggle in the washerwoman's theory under the insane sophist's is self-evident, and has failed utterly; for to "Pope v. Curl," and "Queensberry v. Shebbeare," are since added "Macklin v. Richardson," and "Palmer v. De Witt," both death-blows to the washerwoman's theory. *Palmer v. De Witt.*—Robertson, English dramatist, wrote a comedy, "Caste," and played it all over England, but did not publish. He assigned the copyright, and stage-right, at common law, to Palmer, an American citizen. De Witt published "Caste" in New York. Palmer sued him, and the case was settled, by judgment for Palmer, who was, in law, the English author. (New York Court of Appeals, Feb. 27, 1872.) The judgment lies before me. There was no violation whatever of the manuscript.



Nothing was misappropriated but the naked right to print and publish a composition, to which enormous publicity has been given by twenty prompt copies and fifty sets of parts, and representation in fifty theaters at least. Therefore this American court of very high authority has gone with Lord Mansfield, and other great lawyers, and swept the very mainstay of Judge Yates's sophistry away forever.

This narrows the question to forfeiture, or non-forfeiture, by publication, of copy-right at common law. Now this *soi-disant* forfeiture, Queen Anne's Parliament treat, in the preamble, or historical prelude, as a *malpractice*, a violation of property; they say it is *unjust—cruel—and new*; which is prestatutory evidence in the statute itself. Yates gives Queen Anne's Parliament the lie, and undertakes to prove, out of the depths of his inner consciousness, that this malpractice was—at the very moment when Parliament denounced it, and prepared, in imitation of *preceding* Acts, to *punish* it as a *misdeemeanor—just, reasonable, and old*. Having set this very Parliament above the Creator, he now sets it below Yates. However, his argument runs thus: he says that we authors put forward ideas and sentiments, as the direct object of property at common law in old times, and insult common sense and justice in pretending that we could publish our ideas, yet reserve the right of printing those ideas for publication. This is plausible, and paves the way for his romantic phrases that have intoxicated ordinary minds, such as “the act of publication, when voluntarily done by the author himself, is virtually and necessarily a *gift to the public*.” Then handling it no longer as a donation but under the head of implied contracts, which is a much sounder view of the author's sale to the public purchaser, he says, neatly enough, the seller delivers it without restriction, and the buyer receives it without stipulation. Then he jumps to this droll inference: “Nothing less than legislative power can restrain the use of anything.” This, however, is a purely

chimerical distinction; the common law was founded partly on *Royal statutes*, largely conceived, and resembling maxims; and limited uses are not altogether unknown to it; every river is a highway, over which the public can pass, and even bathe in it, without infringing property; but not always fish; and a right of way obtained by use, or leased to the churchwardens, under which the public can lead its cow across a freeholder's field, gives no right to graze her *upon the path*; and, if I let the public into my tea-garden at sixpence a head to eat all the fruit they can, no express stipulation is required to reserve the fruit *trees*. Moreover, Yates's position is too wide; it lets in other nations; now the French and Dutch common law give it the lie direct in copyright itself; so, if we must reason *à priori*, the chances are fifty to one the English common law gave it the lie too.

But this is our direct reply—for the multiplying power of the press is so unique, it excludes all close comparisons—so far from claiming a property in ideas, that is the very thing the holders of copyright at common law did not claim. That is the claim of the patentees alone, as I shall show in the proper place.

So far from ideas becoming incorporeal after publication, etc., which statement of Yates's is a “galimatias,” and an idiotic confusion, ideas are incorporeal only at a period long antecedent to publication—viz., while they lie in the author's mind.

An author connects his ideas with matter once, and forever, when he embodies them in a labored sequence of words marked by his hand on paper. These written words are matter, by collocation, labored sequence, and the physical strokes of a pen with a black unguent; matter, as distinct from the paper as gas is from the pipe, and, though they *convey* mental ideas, the written words themselves are not so fine a material as gas, which yet is measured and sold by the foot. The phrase “intellectual labor” is an *équivoque* and a snare that has deluded ten thousand minds. It applies some-

what loosely to study; but an author's *productive labor* is only one species of skilled labor; it is physical, plus intellectual, labor, and those compositions which led to common-law rights were the result of long, keen labor, intellectual and physical, proved to be physical by the vast time occupied—whereas thought is instantaneous—and by shortening the life of the author's body, through its effects on the blood vessels of the brain, which are a part, not of the mind but of the body. The said vessels get worn by an author's productive labor, and give way. This, even in our short experience, has killed Dickens, Thackeray, and perhaps Lytton. The short life of authors in general is established by statistics. See Neison's "Vital Statistics."

The words are the *material vehicle* of the ideas; the paper is the material vehicle of the words.

The author has, by admission of Yates, the sole right to do as follows, and does it:—He takes the written words, which are the vehicle of his ideas, to the printing compositor, and the compositor takes printed letters identical with the author's, though differing a little in shape—but that is a mere incident of the day; in the infancy of printing they were identical in shape, only worse formed—he sets the letters in forms, and passes them to the pressman. For this the compositor charges say £28. With the pressman, and not with the compositor, who is a *copyist for the Press*, begins the Press. Now comes the mechanical miracle which made copyright necessary and inevitable: the Press can apply *different* sheets to the *same* metal letters conveying the composition; thus a thousand different paper volumes are created in which the letters and the author's composition are *one*, but the volumes of paper a *thousand*. The volumes are now ready, *but not issued*: and I beg particular attention to the author's admitted position at common law one moment before publication. He has still, by law (Yates assenting), the sole right to print, and publish; he has created, *for sale*, a thousand volumes, under an exclusive legal right to create

volumes *for sale*: he has added to his original legal right three equities:—1st, priority of printing, which is nothing against a legal title, but something against a rhapsodical title; 2d, the peculiar expense of setting type from written words; 3d, occupancy; and the equitable right to sell again the thousand volumes, a large material property created under an exclusive legal title founded on morality and universal law, and conceded by Judge Yates. For the force of occupancy added to title, see Law, *passim*; and for the force of the above special equity, see "*Sweet v. Cator*."

Well, the *man in possession* of the legal right, and *also* of the additional equities, and *also* of the material volumes, now does a proper and rational act, by which the public profits confessedly, an act such as no man was ever lawfully punished for; he publishes, or sets in circulation, his one composition contained in many paper vehicles. He sells each volume say for six shillings to the trade, eight shillings to the public reader. What he intends to sell to the public reader for eight shillings, is—paper and binding, two shillings; printers' work, sixpence; useful or entertaining knowledge, *alias* his own labor, four shillings: the right of using the ideas in many ways, of even plagiarizing and printing them re-worded, and also the right of selling again the very thing the purchaser bought—the one material volume with its mental contents. *Prima facie*, the contract, so understood, is not an unjust one to the buyer, nor an extortionate one for the seller. His profit, on these terms, does not approach the retail trader's, who, in practice, is the seller to the public, *yet forfeits nothing by the sale*. Now it is a maxim of the common law, that where two interpretations of a contract, expressed or implied, are possible, one that gives no great advantage to either party, and the other that gives a *monstrous* advantage to one party, the fairer interpretation is to be preferred, since men, meeting in business, are *presumed by the law to exchange equivalents*: and this

rule, established by cases, applies especially where a whole class of contracts is to be interpreted. Please observe that the ground I am upon, viz., of implied contracts, was selected by Yates, and I ask which interpretation, Yates's or ours, agrees with the undisputed common-law doctrine of equivalents?

The purchase of books is a lottery. But there are a host of prizes. Lord Bacon's works gave the public purchaser a great deal more than a thousand million pounds' worth of knowledge and power; yet he made no extra charge to justify a claim on his copyright founded on purchase of his volumes. The great books balance the little: and the buyer has the choice. Colonel Gardiner was converted in an afternoon, from vicious courses, not by a vision, but a duodecimo; and that is a fact attested by Jupiter Carlyle.—I didn't find it in my intestines, where Yates looks for facts. Many men, about the very time of "Millar v. Taylor," ascribed the salvation of their souls to a copy of Doddridge's "Rise and Progress of Religion in the Soul." If a pupil of Yates, before purchase of Doddridge, that would be a great improvement in a reader's prospects — for 8s. Besides, after he has been converted from Yates's reading of the 8th of Anne, to Doddridge's reading of the 8th of Moses, and his soul saved, etc., he can lend or sell the volume. Then why pilage Doddridge for un-Yatesing him, and saving his soul dirt cheap? Find me the party to any other contract, who can eat his cake, yet sell it afterward, like the honest purchaser of a good volume.

CHARLES READE.

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### EIGHTH LETTER.

SIR—The next intellectual article the insane sophist opposes to evidence is vituperation, or mendacity trading upon popular prejudice. "It is a monopoly opposed to the great laws of property,"

etc., repeated ten times. Now gauge his logic. He says: 1. The sole right of printing a man's own composition is a perpetual property at common law. 2. If the proprietor exerts that perpetual right lawfully, to the benefit of himself and the community, and law, mistaking him for a felon, divests him of it, the good citizen forfeits his *property*. 3. If law declines to abjure its abhorrence of forfeitures, and does not divest him of his sacred property, the sacred *property* becomes *monopoly*. How? by bare retention? by non-forfeiture? by continuation? Did ever continuation or non-forfeiture of a property metamorphose that property into a monopoly? So then if my hen and her chickens run upon a common, and law, having imbibed a spite against feathered property, lets the public in to scramble for them, I can scramble with the lot, but lose my *property* in my hen and chickens. But if law declares they are mine still, though my blind confidence has made it very easy to pirate them, then my *property* in my hen and my chickens becomes a monopoly—which word means the sole right to sell *any* hens or *any* chickens whatever. Is this a lunatic, or a liar?—or both?

I have no theory of my own about monopoly: I merely apply settled truths that idiots repeat like cuckoos but cannot apply. Monopoly is defined in the law books, and justly defined, to be "an exclusive right to sell any *species* of merchandise"—"genus quoddam mercaturæ."

Property is a wider right over a narrower object. It is the sole right of keeping, destroying, leasing, or selling, not a *species* of merchandise, but only that individual *specimen* of merchandise, or those individual specimens, which happen to be the man's own by law. One well-known historical feature of monopoly is that it was the creature of Royal prerogative; another that it has always clashed in trade with undoubted property. In this kingdom are now no literary monopolies, but there is one dramatic monopoly, viz., the exclusive right of the

licensed managers to represent any play whatever—yours, mine, or theirs (6 and 7 Victoria). But literary monopolies infested the ages Anachronist Yates misrepresents; and those men of the common law he underrates—and they were great masters of logic compared with him—always called them by their right name, “Patents.” Under Henry VIII., one Saxton had the sole right to sell printed maps and charts, and, under Elizabeth, Tallis and Bird, to sell music. Both were vetoes on a species—nature, monopoly—name, a *patent*—root, prerogative. The owners of copyright groaned publicly, again and again, under these infractions of their property by prerogative patents; and, after the second revolution, when prerogative was staggering under repeated blows, literary property, or copyright, took a literary patent or monopoly boldly by the throat, in “*Roper v. Streater.*” *Streater, law patentee*, had, from the Crown, the sole right to sell law reports *by whomsoever written*. This was monopoly—an exclusive right to sell a *species* of literary composition. Roper bought of Judge Croke’s executor the copyright or sole right to reprint Judge Croke’s reports, and line his trunk with them or sell them—which is property.

And this muddle-head Yates could look with his moon-calf’s eye at “*Roper v. Streater.*” yet call literary property in a man’s own (by purchase) printed composition, a monopoly, even when he saw literary monopoly and literary property check by jowl in a court of law—fighting each other as rival suitors—and the monopoly in a *species* of books declaring its nature, its distinctive title, “patent,” and its root in prerogative; and the literary property declaring its nature, its distinctive title, copyright, and its root in common law. So that, in “*Roper v. Streater.*” the plaintiff gives Yates the lie on behalf of property; the defendant gives him the lie on behalf of monopoly; and the judges give him the lie in the name of the common law, when he calls copyright in a man’s own printed book “*a monopoly contrary to the great laws*

*of property.*” In my very first letter I offered the statesmen and lawyers Yates has gulled with this fallacy a bet of £150 to £50 a man’s copyright in his own printed book is *property*, and not *monopoly*; yet of all the men who are so ready to swindle authors at home and abroad out of a million pounds by means of this pettifogger’s lie, not one has had the honesty nor the manhood to risk £50 *of his own against* £150 *of an author’s*, upon the lie. I hope the world will see through this, and loathe it, and despise it, as I do.

To sum up the bag of moonshine—To any man who has read history at its sources, as Mansfield and Blackstone did, Yates’s whole picture of old England is like an historical novel written by an unlettered girl. She undertakes, like him, to present antiquity: and what she does portray is the little bit of her own age she has picked up, its thoughts and phrases. Under the Tudors and the Stuarts her characters are impregnated with modern views of liberty, and rhapsodize accordingly: they have even a smattering of “political economy” and let you know it; and they say “the Sabbath”—“illusions”—“developments”—“to burke an inquiry”—“the fact of my being so and so,” meaning “the circumstance of my being so and so,”—and her counsel address the jury for a criminal, and you may thank your stars if Lady Jane Grey does not lay down her Longinus (of whom there was not a copy in the kingdom) and waltz with the Spanish ambassador. The sentiments and the phrases Judge Yates ascribes to men under the Tudors, the Stuarts, the Commonwealth, and the Dutchman, are all pure anachronisms quite as barefaced to any scholar as those in a virgin’s novel. Old England never personified “the public,” as Yates fancies it did, and “*Fur Publicola*,” or the patriot thief of copyright, was yet unborn. The men who built seven gables to one house, and breakfasted on ale, had no such extravagant anticipations of liberty as to despoil private property in its sacred name. Indeed “copy” was a word oftener used

than "liberty," under James I., and even when liberty began to struggle, it was against power in high places, not property in low ones. It cut down prerogatives; it did not run away with fig-trees because the proprietor sold it the *figs*. The tall talk, the bombastical mendacity, "publication of a *volum*e being a *gift* of the *copyright* to the *public*"—"a property in ideas," etc., all this rhapsodical rubbish emanated from romantic pettifoggers, gilding theft, at a known date—namely, between 1740 and 1765—and the ideas were not a month older than the varnish, for they were all invented, not by judges, but by *counsel* for the defense of post-statutory piracies. Find me this slip-slop defiling the mouths of the old judges.

So much for *à priori* reasoning against evidence. What else was to be expected? The system of reasoning that kept the world dark for ages, it would be odd indeed if that system could not darken a single subject, and turn so small a thing as a pettifogging judge into so common a thing as a lunatic.

#### THE BACONIAN METHOD *v.* THE METHOD OF THE DARK AGES.

Evidence on one line may mislead: but concurrent evidence—never. By concurrent evidence I mean veins of evidence starting from different points, but converging to one center. Three distinct coincidences pointing to one man as a murderer have always hanged him in my day. I have many examples noted. Almost the greatest concurrence of heterogeneous evidence *on any historical fact whatever*, is that which proves copyright at law in printed books before Queen Anne; which also proves an Englishman has full copyright in the United States.

First let me ask—What is a WORD? The insane sophists seem to fancy it is a thing, or else air. It is neither. It is defined, and justly, by the logicians, "the current sign of an established thing." It can never precede the thing signified. We all know the work-making process: for we have all seen it. There was no word more wanted than "telegram," yet it

was not coined till years after the thing signified. I saw the verb "to burke" created. It was coined about six months after Burke, who smothered folk for the anatomists, was hanged; but it took years to penetrate the kingdom. When a word gets to be used by different classes, governing and governed, that is the voice of the nation, and its currency shows the thing to be full-blown and long-established. It is simply idiotic to look, with moon-calf eye, at an ancient popular word, and bay the moon with conjectures that no ancient thing was signified.

Heads of the evidence against forfeiture of copyright by publication.

1. The word "copy" from the Tudor princes to Queen Anne's statute, and in the statute, and after the statute, always used to signify the sole right of printing before and after publication. That alone bars Yates's theory that publication dissolves the property.

2. The ancient use of this technical word in *disconnected things* and *places*, yet always to denote property and occupation. Example *A.*—Entries of sales and transfers of copyright, from 1558 to 1709, at Stationers' Hall, by occupiers. Proviso in 1582 that, where the king had licensed any individual to print, the license should nevertheless be void, if the copyright belonged to another. *B.*—Recognition of "copy" as property in Acts of the Star Chamber, and Republican ordinances, both valid as *historical evidence*, and in the licensing Acts of Parliament 13 and 14 Charles II., 1 James II., c. 7, 4 William and Mary, c. 24, which are evidence, and something more, since, in all these, Royal Parliaments, having the same power as Queen Anne's, protected, by severe penalties, that very property at law in published books which Yates divines out of his inside had expired by publication. Either these licensing Acts were copyright Acts—which is absurd—or they protected copyright as it existed forever at common law. Here "copy," or "copyright," might very well imitate Des Cartes, and say, "PROTEGOR; ERGO SUM." *C.*—Use of the old word "copy," in Queen Anne's statute. The first stat-

ute on any matter is written under the common law. Even this truism has escaped the babblers on copyright. In Queen Anne's Act, the word "copy" is used six times in its common-law sense; and it is first applied, viz., in sect. 1, not to manuscripts on the eve of publication, but to printed books; and the preference antiquity had for the printed book over the MS. is here continued; twenty-one years the minimum term to a published book, fourteen to a MS. on the eve of publication. Is that how Yates talks about the MS. and the book? *D.*—Recognition of the word, and thing, in business. Public and notorious sales of ancient copyrights, some of them famous: "The Whole Duty of Man;" Dryden's copyrights, both dramatic, and epic; Milton's, Southern's, Rowe's, and *some* of Defoe's, Swift's, and Addison's. *E.*—Several assignments of "copy" forever, that now survive only in the verdict of the jury, "Millar v. Taylor." A vast number drawn after the statute upon the perpetual common-law right: one, referred to in a former letter, survives in print, "George Barnwell," ed. 1810. *F.*—The use of the word "by lawyers" in these pre-statutory agreements, also in the declaration "Ponder v. Bradyl," an action on the case brought for piratical printing of "The Pilgrim's Progress," "of which"—so runs the plaint—"the plaintiff was, and is, the true proprietor; whereby he lost the profit and benefit of his 'copy.'" This brief and technical statement of the grievance is not like a pleader groping his way by periphrasis to a doubtful right. The pleader is on a beaten track.

3. The terms on which Milton leased the copy of "Paradise Lost" to Simmons, in 1667. £5 for the first edition, £5 for the second edition, £5 for the third. (See Todd's "Life of Milton.") This contradicts Yates, and his theory of forfeiture by publication, as precisely as *A can contradict B in advance*. When the liar speaks first, true men can fit the contradiction to the lie, in terms; but, when the honest men speak first, the liar can evade their direct grip, by choice of

terms; for he has the last word. Put yourself in the place of Simmons: if you were a publisher, and publication forfeited copyright, would you agree to give an author *the very same sum* for the second edition, and the third, *as for the first*? I am quite content to refer Simmons's treaty with Milton to Messrs. Harper & Co., Messrs. Osgood, Ticknor & Co., Messrs. Appleton & Co., Messrs. Sheldon & Co., New York publishers. They shall decide between Yates and me. Mr. Justice Yates says Simmons's was an agreement with Milton, under the common law, for the mere sale of early sheets, and I say Mr. Justice Yates is a romancer. Now multiply this evidence by a hundred. We only know this business (Milton and Simmons) through the accidental celebrity of the book; but the jury, in 1769, had a pile of examples before them.

4. The subsequent history of "Paradise Lost." Paid by Simmons to John Milton £5 in 1667. In 1669, £5 for the second edition. In 1674, £5 for the third edition, paid to Milton's widow. In 1680, sale of the copyright, for £8. Dame Milton to Simmons. Simmons, in two years, sold the copyright to Aylmer for £25; and Aylmer, 1683, sold half to Tonson, and, in 1690, the other half, for a considerable sum. Soon after that a vast public sale set in; yet Tonson held the copyright undisturbed. The temptation was strong: but so was the common law. It was never pirated till 1739, seventy-two years after first publication. It was no sooner pirated than Tonson moved the court. It had no protection under the Act. That protection expired in 1731. A judge, who was a ripe lawyer before Queen Anne's statute, and knew the precedent common-law right, restrained the piracy at once under the common law, "Tonson v. Walker."

Legal History — 1667–1710, protected by common law alone, and never pirated. 1710–1731, protected by common law and statute. 1732 to 1774, by common law only. Protected by injunction, 1739, and again in 1751.

5. The verdict of the special jury in

“*Millar v. Taylor.*” They were not men blinded by any preconceived notion; they were twelve men of the world; they sifted the evidence, and found disjunctively that it was “usual, before Queen Anne, to purchase from authors perpetual copyrights, and to assign the same from hand to hand, and to make them the subject of family settlements:” all those disjunctive findings are equally good against the public claimant, unless Yates can prove it was also the custom before Queen Anne to settle Bagshot Heath, and Wimbledon Common, and ten turnpike roads upon son Dick, with a mortgage to nephew Tom, and a remainder to cousin Sal. His legal objection that custom short of immemorial cannot make a legal title is specious. But *he forgets*; the root of our title is not in anything so short as what lawyers call immemorial custom. Our title is *acquired* by productive labor, and is personal property—a legal right six times as old as the British nation.

The narrow question of fact the jury dealt with was this—was it usual for the act of publication to dissolve in one moment the perpetual right Judge Yates admits, a right acquired not by custom, if you please, but by productive labor and universal law? For its modest office of *interpreter* of law applied to so narrow a matter as non-forfeiture of an admitted right, the custom of two hundred years (solidified by a law case or two), and contradicted by no elder nor concurrent custom, is more than sufficient—“*consuetudo interpres legum.*” The special jury were educated men; impartial men; sworn men; many men; unanimous men; Yates was one unsworn man, with a bee in his bonnet. The twelve jurors were the constitutional tribunal, chosen of old by the Kingdom, and still chosen by the great Republic to try such issues. The one Yates was, as respects this issue, an unconstitutional tribunal appointed by himself, and no more sworn to try that issue than Dr. Kenealy was sworn to try the issues in the “*Queen v. Baker.*”

The verdict of that jury is *law*; and the usage of the kingdom for ages before

Queen Anne is proved to be non-forfeiture by publication, and proved on evidence since dispersed; and therefore PROVED TO THE END OF TIME.

6. The preamble of the statute. This is pre-statutory evidence, and Yates says it accords with his views. The reader shall judge. I will draw a preamble honestly embodying his views—as every candid mind shall own—and I will place it cheek by jowl with Queen Anne’s preamble.

## PREAMBLE A LA YATES.

Whereas, for the greater encouragement of writers and other learned men, to produce laborious and useful books of lasting benefit to mankind, it is expedient to restrict, for certain times, and under certain conditions, that just liberty, which the subjects of this realm have hitherto enjoyed, of reprinting and publishing all such works as by publication have become common property; be it enacted, etc.

## PREAMBLE OF THE ACT 5TH ANNE.

Whereas printers, booksellers, and other persons, have of late frequently taken the liberty of printing, reprinting, and publishing, books, and other writings, without the consent of the authors, or proprietors of such books and writings, to their very great detriment and too often to the ruin of them and their families; for preventing therefore such practices for the future, be it enacted, etc.

I make no comment. I but invite ripe men to inspect this as intelligently as girls do Sir Octopus. Eyes and no eyes have muddled copyright long enough.

7. Law cases. *A.*—“*Roper v. Streater,*” King’s Bench. Alias copyright, or literary property, *v.* monopoly.

Judgment of the whole Bench for copyright at law against monopoly and prerogative.

*B.*—“*Roper v. Streater.*” House of Lords.

The Lords admitted perpetual copyright at law, but declared the king had a paymaster’s claim to Judge Croke’s reports because he paid the judges and acquired a copyright in their decisions. Thus they smuggled him in as *proprietor at common law*. Yates’s theory of forfeiture by publication never occurred to the mind of any judge, either in the King’s Bench or the House of Lords.

*C.*—The injunctions soon after the statute. Here there are two things to be considered. 1st. A judge does not roll out of his cradle on to the woolsock. Sir Joseph Jekyl was a ripe lawyer in 1700,

when "Roper v. Streater" was tried in the Lords. He saw the common-law right long before the statute, and went by it after the statute, and against the literal words of the statute; for they affix a term, and so could never suggest a new perpetual right. In 1735 he restrained a piracy on "The Whole Duty of Man," published in 1657 ("Eyre v. Walker").

2d. In those days an injunction really meant "an injunction to stay waste of some property not disputable at law." Where there was a shadow of doubt at Westminster no equity judge would ever grant an injunction. This is notorious; consequently the injunctions granted on the perpetual common-law right, by judges so timid, are evidence not only of their own adhesion to the perpetual common-law right, but proofs that all the contemporary judges at Westminster concurred tacitly. Agreeably to this Lord Mansfield distinctly declares that the first doubt, which ever arose about the perpetual right, was in "Tonson v. Collins;" and the Court of Chancery, on hearing a mere whisper of that doubt down at Westminster, instantly refused the injunction, because of the doubt, though they did not share it. I myself know from quite another source that they even suspended their proceedings in "Macklin v. Richardson" because "Millar v. Taylor" was pending in the King's Bench. Therefore the chain of injunctions they granted between 1735 and 1751, on the perpetual common-law right, were *post-statutory acts by pre-statutory minds representing the whole judicial opinion of the nation before and after the statute.*

8. Admissions. — This is the highest kind of evidence. A.—Milton attacked a parliamentary licensing Act with great spirit. When a man falls upon a measure in the heat of controversy he is seldom nice. Yet this polemic and great enthusiast for liberty drew the rein at private property, and solemnly approved the constitutional clause in the Act, the severe protection of copyright. B.—The petitioners to Parliament in 1703. It was their interest to make a strong case for

parliamentary interference. Yet they admitted they had an action on the case against pirates, and had no fears of a *verdict*; but could not get sufficient *damages*, nor enforce them, because the pirates were paupers. The force of this unwilling evidence has never been justly appreciated.

C. — A *Legal Phenomenon.* — Judge Yates had a peck at several minor cases, but never once, in a discourse that lasted three hours, did he dare to touch "Roper v. Streater," either in the King's Bench or the House of Lords. Now when a lawyer dare not call his own principal witness, we all know fact is dead against him; and, when he affects to ignore the leading case against him, that means he cannot get over the law of that case, and knows it. Of course a more honest judge would have faced it, and either got over it, or else given into it. Indeed, there is no other recorded instance in which a dissentient puisne judge ever shirked the leading case relied on by the chief of his court and the other puisnes in any case so fully reported as "Millar v. Taylor." It is phenomenal. Every practical lawyer knows in his heart what it means, and it is a game that only pays with dull or inexperienced men. To us, who know courts of law, and the tact of counsel in gliding, with a face of vituline innocence, over what they cannot encounter, it is but shallow art: for it blows the gaff; and the critic goes at once to the ignored case, to see *why it was ignored.* Well, Yates ignored "Roper v. Streater" because he wanted people to believe two infernal falsehoods — (1) that perpetual copyright at law in printed books did not exist before Queen Anne, and (2) that, had it existed, it would have been *a monopoly opposed to property.* Now, in both these particulars, Roper, or property, gave him the lie — Streater, or monopoly, gave him the lie — and all the judges, in both courts, gave him the lie. That is why he evaded "Roper v. Streater," and the unprecedented evasion is *evidence* that he knew it smashed him.

Thus "Palmer v. De Witt," and the other cases, backed by common sense and



universal law, prove a man's perpetual incorporeal property in the fruit of his own skilled labor. That law, deviating from all its habits, divested a man of so sacred a right because he exercised it, is a chimera supported only by *à priori* reasoning and romantic phrases born about 1750, and *unknown to the old judges*. First we answer a fool according to his folly, and pull his chimera to pieces. Then we answer him not according to his folly, but on the great Baconian method. And now this is clear; either Bacon was an idiot, or Yates was an idiot. We prefer Bacon, and to go, in a matter of fact, by the general usage, and the sense of the old kingdom, sworn to on evidence by a jury, and confirmed and solidified by a chain of reported law cases, beginning before the statute and continuing by the force of common law after the statute, in a perfect catena; also the *obiter dicta* of the old judges, and their *dicta ad rem*, all which heterogeneous evidence is "uncontradicted by any usage, book, judgment, or saying." *Teste* Lord Mansfield. So then "*Robertson v. De Witt*" and the complete proof *supra* of non-forfeiture by publication at common law give us copyright in printed books in the United States. We claim it from the judges at Washington, should we be driven to fight it in that form, and meantime we appeal to their consciences to back us with the Legislature of their country. For, if Robertson, making twenty copies of "*Caste*," and fifty sets of parts, which is multiplication of copies in a way of trade, and handing the parts to two hundred different actors—a reading public—and delivering the words for money to about a million spectators who pay, cannot by the common law be pillaged of his sole right to print and publish, what a farce it is to pretend on *grounds of common law* that another British writer, for publishing a book and selling one hundred copies in Great Britain, can be lawfully despoiled in the United States of his sole right, in spite of Blackstone and Mansfield, and on the ground of a mere variation in the *mode* of publicity and the *way* of selling. By such reasoning law is di-

vorced from common sense and from all ancient interpretation and usage, and from even the shadow of morality. Now law *exists*, not for the sake of law, but of morality.

CHARLES READE.

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### NINTH LETTER.

SIR—The power of judges is often crippled by precedents, that revolt their consciences and their sense; but a Legislature is happier; the justice it sees, that it can do. Now, when literary property was first seriously discussed in the States, the question whether copyright is a property or a monopoly, a natural right or a creature of prerogative, had just been discussed in England, and the Legislature of Massachusetts read "*Millar v. Taylor*" and "*Donaldson v. Becket*," and decided between the dwarf sophist Yates, and the great lawyer Mansfield, in very clear terms. I beg particular attention to this, that Justice Yates pointed to the *title* of Queen Anne's statute, as "an Act for the encouragement of learning, by vesting the copies (copyrights) of printed books in the authors or purchasers," and said very fairly that the term "vested" implied that the right did not exist before, in the opinion of Parliament. To this Lord Mansfield replied that the *title of an Act is no part of an Act*; and that in the body of the Act the word "to *vest*" is not used, but the word "to *secure*," and that the preamble would decide the question, even if a title could be cited against the body of an Act, for the preamble is full and clear in its recognition of the then existing property.

In March, 1783, the Legislature of Massachusetts gave judgment on this question of title *v.* body and preamble, as precisely as if Mansfield and Yates had referred it to them. They passed their first Copyright Act under this title—"An Act for the purpose of *securing* to authors the exclusive right and benefit

of publishing their literary productions for twenty-one years." Having elected between "vest" and "secure" in their title, they passed to the second point; and, to leave no shadow of a doubt as to their views, drew such a preamble, as even Mr. Justice Yates, who affects to misunderstand Queen Anne's preamble, could hardly twist from its meaning; and I shall be grateful to any American critic, who will do American and English authors so much justice as to inspect the comparative preambles I put together in my last and compare both with this which I now cite:

"Whereas the improvement of knowledge, the progress of civilization, the public weal of the community, and the advancement of human happiness, greatly depend on the efforts of learned and ingenious persons in the various arts and sciences: As the principal encouragement such persons can have to make great and beneficial exertions of this nature must depend on the legal security of the fruits of their study and industry to themselves: and, as such security is one of the *natural rights* of all men, there being no *property* more peculiarly *a man's own* than that which is produced by the *labor of his mind*, therefore to encourage learned and ingenious persons to write useful books for the benefit of mankind, Be it enacted," etc. 1 Mass. Laws, 94, ed. 1801.

The other States followed this example and these sentiments: all avoid the word "vest" and employ the word "secure," and all, or most of them, recognize the *security* of an author's property as "a right perfectly agreeable to the principles of natural justice and equity." See the excellent work on copyright of G. T. Curtis, an American jurist, p. 77.

The very idea of "monopoly" is absent from all these Acts: they emanated from men who were lovers of liberty and constitutional rights, and had shown how well they could fight for them, whereas canting Camden illustrated his peculiar views of the common law by not uttering one word of objection in the House of Lords to a parliamentary tax upon the

colonies for the benefit of England; an usurpation it would be as difficult to find in the law of England as it is easy to find copyright here.

From these sound principles of justice and national policy the Legislature of the United States has fallen away, and listened this many years to cant, and the short-sighted greed of a Venetian oligarchy sticking like a fungus on the fair trunk of the Republican tree. But I dare say not one member of Congress knows how unjust and unwise is the present state of statute law, as regards British and American authors. It is not only injustice we writhe under, but bitter, and biting, and inconsistent *partiality*.

Even little lawyers, though their mental vision is too weak to see the essential difference between patent-right and copyright, have a sort of confused notion that copyright is a trifle more sacred, and consistent with common law, than the various and distinct monopolies, just and unjust, which the narrow vocabulary of law huddles together under the term patent-right. Yet, in this great and enlightened Republic, international copyright and stage right, *by statute*, are refused, and international patent-right established.

The distinction is a masterpiece of partiality, immorality, and inconsistency. The patent on new substances discovered or imported is a monstrous, unconstitutional restraint of just liberty, and will be abolished whenever Legislature rises to a science. The patent of invention is salutary. It is the exclusive right to carry out and embody, by skilled labor, one or two bare and fleshless ideas, but sometimes of prodigious value to the world: oftener, of course, not worth a button.

The patent of invention is a mild monopoly in a species or sub-species of ideas: but copyright in bare ideas does not exist. Copyright cannot arise until the bare and fleshless ideas of the author, infinitely more numerous than a patentee's, have been united with matter, and wrought out by the *mental* and *physical* labor of the writer, which *physical* labor

accelerates the death of his body. An author's physical posture, when at work, is the same as a printing compositor's physical posture—see the famous portrait of Dickens at work—and his physical labor is similar, and equally bad for the body, whereas thinking and sweating at the same time are healthy. The author does the intellectual and physical labor not only of the architect or the mechanical *inventor*, but also of the *builder* or of the skilled *constructor*, and his written manuscript corresponds *not with the specification of a patent, or the plan of a house, but with the wrought article, and the built house*. The printing press adds nothing to the author's production: it does not even alter the vehicles, but only improves them, and that only of late years, since running hand. The modern manuscript is paper with a certain laborious sequence of words marked on it in ink by skilled labor; the book is paper with the same laborious sequence of words marked on it by mere mechanical labor taking little time. Let A read from the manuscript and B from the book, and both readers deliver the same *complete production*, corresponding with the patented or patentable article, not with the bare specification.

This object of property, the author's material web of words, has not, in itself, the value of a patentable article. Its value lies in its unique power of self-reproduction by means of the actor or the press. Mechanical articles of very moderate value are more valuable *per se* than any author's MS., but mechanical articles have no power of self-reproduction. There is no magic machine with which three quiet idiots, without an atom of constructive skill, can reproduce steam-engines, power presses, and sewing machines. But three quiet idiots, with the printing press, can, without one grain of the original author's peculiar art, skill, and labor, reproduce exactly his whole composition, and can rob him of the entire value in his object of property, because, without the sole right of printing, his object of property has not the value of a deal shaving, whereas an article that might be patented,

but is not, is worth *ninety-two per cent of the same article patented*.

Thus the American Legislature outlaws the complete, executed, wrought out *property* of a Briton, and protects his inchoate monopoly or exclusive right to go and work upon certain bare intellectual ideas, *provided they are bare ideas applicable to mechanics*.

Take this specification to a Patent Office. "I have invented a young man and two sisters in love with him. They were amiable till he came, but now they undermine each other to get the young man; and they reveal such faults that he marries an artful jade who praised everybody."

You apply for a patent or monopoly of these bare ideas, this little sub-species of story. You are refused, not because there is no invention in the thing—there is mighty little, but there is as much as in nine patents out of ten: where is the author who could not sit on a sofa and speak *Patents*?—but because the common law, whose creature copyright is, protects in an author, not invention, but constructive labor: gives him no property in bare ideas, but only in a labored sequence of written words which *convey* ideas, but are produced by physical and intellectual labor mixed, and are distinctly material in nature and character, though they carry an intellectual force and value.

The piratical imitation of a patented sewing machine is only *imitation* by skilled workmen of the patentee's ideas: it is not identical *reproduction* of his wrought-out and embodied ideas, by mere mechanics working a stealing machine. To pirate a patented article you must employ the same kind of *constructive* skill the patentee, or his paid constructors employ, and then you only mimic; but to pirate an author and steal his identical work, none of an author's skill or labor is required. All the brains required to reproduce mechanically that sequence of words, which is an author's object of property, are furnished to this day by John of Gutenberg, who invented the machine, by which an author lives or dies, as law protects him, or lets thieves rob

him with a stealing instrument worked by mere mechanics.

So then the American Legislature protects a foreigner's *monopoly*, and steals a foreigner's *property*. The monopoly this great Republic protects is the creature of the British Crown, to which the great Republic owes nothing, and the property it outlaws is a property that arose in the breast and brain and conscience of our common ancestors. They, whose wisdom and justice founded this property in England, were just as much Americans as English, and we all sprang from those brave, just, and honest men.

To swindle poor, weak, deserving, private men of a kindred nation out of this sacred property, which our common ancestors created and venerated and defended against the Crown in "*Roper v. Streater*," as the United States defended their rights against a Parliament usurping Russian prerogatives, a property which Milton revered, whose heart was with the Pilgrim Fathers, and all just liberty whatever; and to protect a Briton's monopoly, the mere creature of arbitrary prerogative — this double iniquity, I say, is legislation that disgraces the name of legislation and national sentiment; it is a prodigy of injustice, partiality, and inconsistency. What! I spend two thousand hours' labor on a composition; to be sold it must be wedded to vehicles, paper, type, binding, and it must be advertised. I pay the paper-makers, the printers, the binders. I pay the advertisements: the retail trader takes twenty-five per cent of my gross receipts; the publisher justly shares my profits. The book succeeds. I cross the water with it, and its reputation earned by my labor, and my advertisements; I ask a trifling share of the profits from an American publisher, who profits by *me* as much as ever my *British* publisher did. "You!" says he, "you are *nobody* in this business. I shall pay for the *vehicles*, but not for the *production* that *sells* the *vehicles*. I shall pay the paper-makers, and also the printers and binders, Britons or not. But I

shall take *your* labor gratis, on the pretense that you are a Briton." The American public pays a dollar for the book; fifty-five cents of the value is contributed by the English author. The various laborers, who are all paid, make up the forty-five cents among them. He who alone contributes fifty-five per cent is the one picked out of half-a-dozen workmen concerned to be swindled out of *every cent*, and the Legislature never even suspects that by so doing it disgraces legislature and mankind. An Englishman writes a play, mixing labor with invention. The stage carpenter contributes a petty mechanical idea suggested by the scene; he uses wavy glass at an angle under limelight to represent the water. The play crosses the Atlantic; anybody steals it for all the Legislature cares, but, if they touch my carpenter's demi-semi-invention, his bare fleshless intellectual idea of placing an old substance, glass, at an angle under another old thing, limelight—"Halte là—ne touchez pas à la Reine!" The creature of Crown Prerogative protects in New York and Boston the naked half *idea* of the British carpenter. No American glass and limelight honestly bought must be wedded to that bare idea; and the idea taken gratis. Only the *property* can be stolen—because it belongs to the everlasting victim of man's beastly cruelty and injustice; the dirty little British *monopoly* is secure. The British actor must be paid four times his British price for delivering the British author's property in a New York or Boston theater; the fiddlers, Britons or not, for fiddling to it; the door-keepers for letting in the public to see it, etc. Only the one imperial workman, who created the production, and inspired the carpenter with his lucrative demi-semi-idea, and set the actors acting, and the fiddlers fiddling, and the public paying, and the thief of a manager jingling another man's money, is singled out of about eighty people, all paid out of his one skull, to be swindled of every cent, on the pretense that he is a Briton; but really because he is an author.

The world—wicked and barbarous as it

is—affords no parallel to this. It is not the injustice of earth; it is the injustice of hell.

CHARLES READE.

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TENTH LETTER.

SIR—I ask leave to head this letter

THE FIVEFOLD INIQUITY.

The outlawry of British authors and their property is a small portion of the injustice. The British Legislature has for years offered the right hand of international justice; it is therefore the American Legislature that robs the American author in England. That is No. 2. But the worst is behind. The United States are a stiff protectionist nation. The American chair-maker, carriage-maker, horse-breeder, and all producers whatever are secured by heavy imposts against fair competition with foreigners. Also the American publisher, and the American stationer. The tariff taxes paper, I think, and is severe on English books. But turn to the American author.—He cannot write a good work by machinery: like the English author, he can only produce it by labor, intellectual and physical, of a nature proved to shorten life more or less. While he is writing it, debt must accumulate. When written, how is this laborious producer in a protectionist nation protected? Are imported compositions paid for like any other import, and also taxed at the ports to protect the native producer? On the contrary, the foreign literary composition is the one thing not taxed at the ports, and also the one thing stolen. And the State, which dances this double shuffle on the author's despised body at home, robs him of his property abroad.

The enormity escapes the judgment of the American public in a curious way, which I recommend to the notice of metaphysicians. It seems that men can judge things only by measurement with similar

things. But the world offers no parallel to this compound iniquity, and so, comparison being impossible, the unique villainy passes for no villainy.

I will try and remove that illusion. Let us suppose a fast-trotting breed of horses, valueless in trade without a car and harness. You must yoke the horse to car and harness, and then they run together, and are valuable; but they don't melt together, because they are heterogeneous properties: and so are the author's composition and its vehicles heterogeneous properties; you may mix the two, but you cannot confound them as you can flour and mustard, by mixing.

An American citizen breeds a horse, at considerable expense, for the dealers. They supply the cart and harness, and have *virtually* a monopoly in the trade.

Carts and harness, to be imported, must be bought and taxed.

But the Legislature permits the dealer, and trade monopolist, to steal foreign horses, and also import them *untaxed*.

How can the American breeder compete with this double iniquity?

The analogy is strict. This is the social, political, and moral position of the American author, in a protectionist nation, and he owes it to his own Legislature. *Our* Legislature offers to treat him as a man, not a beast. Now does this poor devil pay the national taxes? He does. What for? *The State has no claim on him*. The State has outlawed him; has disowned his citizenship, and even his humanity. Is he expected not to take any property he can lay his hand on? Stuff and nonsense! *Law is only a mutual compact between man and man*. In the American author's case, the Republic, through its representatives, has dissolved that mutual compact, and broken the public faith with the individual subject. The man is now reduced to a state of nature, and may take anything he can lay his hands on. There is not a casuist, alive or dead, who will deny this. Earth offers no parallel to this quintuple iniquity. 1. British monopoly respected. 2. British property stolen. 3. American author struck out of the national system,

Protection. 4. Crushed under the competition of foreign stolen goods. 5. Robbed of his natural property, and his rights of man, in England.

A property founded, as the sages of Massachusetts justly say, on the natural rights of man to the fruits of his labor, cannot be property in one country and no property in another. It can be *protected* in one country and *stolen* in another: but it is just as much property in the country where it is stolen, as in the country where it is protected. Geographical probity—local morality—Thou shalt not steal—except from a British author out of bounds—Do unto your neighbor as you would he should do to you—unless he is a British author out of bounds—all these are vain endeavors to pass geographical amendments upon God's laws, and on the old common law, and on the great ungeographical conscience of civilized mankind. The honest man spurns these provincial frauds, plain relics of the savage: and the pirate takes them, with a sneer, as stepping-stones to the thing withheld.

In proof of this I give a few indirect consequences of the fivefold iniquity.

1. Mutilation and forgery.—The same people that steal a foreign author's property mutilate it, and *forge his name* to what he never wrote: and they cannot be hindered, except by international copyright. —1.—Tom Taylor and Charles Reade write a comedy called "The King's Rival." Here Nell Gwynne, a frail woman with a good heart, plays a respectable part, because her faults are not paraded, and her good qualities appear in action. The comedy concludes in the king's closet: he forgives his cousin, the Duke of Richmond, and Frances Stuart: the center doors are thrown open, the queen and court appear, and the king introduces the duke and duchess as a newly married couple, and the curtain falls, because the suspense has ceased; and that is a good rule. The character of Nell Gwynne was admirably played, and we arranged for the actress (Mrs. Seymour) to show one hand, and a frolic face at a side-curtain, unseen, of course, by the queen and

the court, who occupy the whole back-ground.

Our Transatlantic thief was not satisfied with this, nor with stealing our brains. He brings Nell Gwynne out of her sly corner into the very center of the stage, and gives her a dialogue with the king, during which the queen is mute, perhaps with astonishment. The twaddle of the speakers ends with the king inviting the company to adjourn to the playhouse, and receive another lesson from Mistress Gwynne. That lady, who in the play had shown a great deal less vanity than characterizes actresses in general, now replies pedantically for the first time:

"It is our desire, your majesty, while we amuse, to improve the mind. Our aim is—

By nature's study to portray most clear  
From Beaumont, Fletcher, Jonson, immortal  
Shakespeare,  
How kings and princes by our mimic art  
Yield their sway and applaud the actor's part.  
The Bard of Avon in that prolific age  
Traced thoughts upon the enduring page."

Is it possible?

"Precepts in that powerful work we find  
To improve the morals and instruct the mind.  
There he holds, as 'twere, a mirror up to  
Nature,  
Shows Scorn her own image, Virtue her own  
feature,  
To-night, king, queen, lords, and ladies act  
their part,  
Each prompted by the workings of the heart,  
And Nelly hopes they will not lose their cause—  
Nor will they—if favored—by your applause."

This is how dunces and thieves improve writers. Though she is the king's mistress, this unblushing hussy stands in the very center of the stage, with the king between her and his wife, the queen of England; and though she is an actress who had delivered the lines of Shakespeare, Fletcher, and other melodious poets, she utters verses that halt and waddle, but do not scan. The five-foot line is attempted, but there are four-foot lines and six-foot lines, and lines unscannable. Now there is no surer sign of an uneducated man than not knowing how to

scan verses. We detect the uneducated actor in a moment by this. Our self-imposed collaborateur forges the name of a Cambridge scholar and an Oxford scholar to a gross and stupid indelicacy, showing the absence both of sense and right feeling, and also to verses that do not scan. He lowers us, as writers and men, in the United States, which is a very educated country with universities in it; and, as these piratical books are always sent into England, in spite of our teeth, he enables the home pirate to swindle us out of our property, and also out of our credit as artists, scholars, and gentlemen, at home. The humbugs who, following Yates and Camden, say an author should write only for fame, will do well to observe that, wherever our property is outlawed, our reputation and credit as artists are sure to be filched away as well. The *Publishers' Circular*, a publication singularly gentle and moderate, has had to remonstrate more than once on the double villainy of taking an historical or scientific treatise, using the British author's learning, so far as it suited, and then falsifying his conclusions with a little new matter, and *still forging his name to the whole for trade purposes*. If this is not villainy, set open the gates of Newgate and Sing-Sing, for no greater rogues than these are in any convict prison.

B.—Fitzball, an English playwright, dramatized a novel of Cooper's. Fitzball coolly reversed the sentiments, and so, without a grain of invention, turned the American inventor's genius inside out, and made him write the Briton up and the colonist down. Such villainy, in time of war, would make a soldier blush. What is it in time of peace? The British Legislature is willing to put this out of any Fitzball's power.

2. Recoil of Piracy.—I have the provincial right in a comedy, "Masks and Faces." Many years ago I let the book run out of print, because I found it facilitated piratical representation. Instantly piratical copies, published in New York, were imported; and, on the most moderate calculation, the American Legislature has enabled British managers, actors, and

actresses to swindle me, *in my own country*, out of eight hundred pounds in the last fourteen years on this single property. I have stopped the piratical version by injunction. But I can only stop its sale in shops. It penetrates into theaters like a weasel or a skunk; and no protection short of international copyright and stage-right is any protection. America saps British morality by example; British actresses are taught, by Congress, to pillage me in the States. They come over here and continue the habit the American Legislature has taught them. At this very moment I have to sue a Glasgow manager, because an English actress brought over a piratical American book of "Masks and Faces," in spite of the injunction, and they played it in Glasgow; and I can see the lady thinks it hard, since she had a *right* to pillage her countryman in the States, that she should not be allowed to pillage him also in his own country. That is how all local amendments on the eighth commandment operate. They make the whole eighth commandment seem unreasonable and inconsistent.

3. A Dublin editor pirated my story, "It is Never too Late to Mend," under the title of "Susan Merton: a Tale of the Heart." This alarmed me greatly; it threatened a new vein of fraud on copyrights. I moved the Irish Court of Chancery at once. The offender pleaded ignorance, and produced, to my great surprise, an American paper, in which the story was actually published under the title "Susan Merton: a Tale of the Heart"—and the English author's name suppressed. So careful of an author's fame, my Lord Camden, are those superior spirits who set him an example of nobility by despising his property. "It is Never too Late to Mend" is an ideaed title. "Susan Merton" is an undeaed title. I never saw an American idiot yet, so I apprehend this ingenious customer altered the title for the worse, and suppressed my name, in order to defraud his own countrymen, by passing the thing off as a novelty in some sequestered nook of the Union. Well, this lie, on the top

of the piracy, jeopardized my property in England, and cost me a sum of money; for the defendant could not pay the costs. The piratical proprietor of two Irish newspapers paid £1 per week for a little while, and then disappeared. He went to the States no doubt. I hope he did; for there he'll meet his match.

4. "Foul Play," a drama, was produced in New York. I was on shares with Mr. Boucicault. In course of the representation there was a dispute, the grounds of which, as reported, I could not understand. However, the sheriff came on the stage with his men. There was resistance. Shots were fired, and two humble persons employed in the theater, an old man and a boy, were wounded. I felt very sorry for these poor fellows, who had no interest in the quarrel. Also I felt half guilty, since it happened in connection with that particular play. I sent out £10 for them, to my friends Messrs. Harper: they were good enough to take charge of the matter and saw the sufferers got it. Now I don't set up for a sweet, benevolent soul; I intended this as a fair percentage to American sufferers, to be paid out of American profits. But the Yankee in charge of the receipts deranged my arithmetic. He levanted with the receipts, and my whole commercial transaction is represented in my books by a payment of that small, but solid percentage upon—air.

The American saw the Britisher recognize our common humanity and not draw geographical distinctions; but he despised my example: for why, he had the example of his Legislature, which says, "When you catch a British author here, show your hospitality. Swindle him up hill and down dale—and then go to church and 'pray' to our common Father."

An actress calls on me from Illinois, tall, dark, graceful, handsome, and talks well, as all American ladies do. She wants a new part. Says she has been to another author, and he demanded the price down, because she was an American. Of course I put on a face of wonder at that other author; so inseparable is politeness from insincerity. I let her

have "Philippa" and "The Wandering Heir" in the States for ten dollars per night, which is a mere nominal price. Subsequently two English actresses of the very highest merit and popularity asked leave to play the piece in the United States. But the Britisher stood loyal to his Illinois girl. Well, she sent me a very small sum from California. She then went to Australia, played the piece repeatedly: wrote to me eight months ago, telling me she only withheld payments because she was coming to England; and never came to England, nor made me any remittance. The part is invaluable to an actress. It has been played by three actresses in England, and in each case has proved valuable to the performer. In the United States I am done out of it as property, and done out of all returns, because I trusted an American woman in a matter of literary property.

5. My first letter announced that I considered the American author the head victim, and I even suggested how difficult it must be for a novice, even if a man of genius, to get before the public at all. I have now advices from young American authors sending me details. They say that it is very hard to get MSS. read; that, when they bring a picture of American life, it is slighted, and they are advised to imitate some British writer or other; and that, in fact, servile imitation of British styles is a young writer's best chance. But they tell me something I did not divine—that the publishers keep copying machines, and the rejected manuscript often bears the marks of the machine; and the subject-matter is, in due course, piratically used.

Look this cruel thing all round. It becomes the old to feel for the young; let me trace that poor young author's heart. He is young, and the young are sanguine: he is young, and the young are slow to suspect cold-blooded villainy and greed in men that are rich, and need not cheat to live, and live in luxury. He takes his MS. in good faith to a respectable man. He is told that it shall be read. There are delays. The poor young man, or



young woman, is hot and cold by turns ; but does not like to show too much impatience. However, in time, he begins to fear he is befooled. He calls, and will have an answer one way or other. Then a further short delay is required to re-peruse, or to consider. That delay is really wanted to copy the MS. by a machine. The manuscript is returned with a compliment ; but the author is told he is not yet quite ripe for publication : he is paternally advised to study certain models (British) and encouraged to bring another MS. improved by these counsels. Ods Nestor ! it reads like criticism, and paternal advice. The novice yields his own judgment ; sighs many times if he is a male, if female has a little gentle cry that the swine earth is tenanted by are not asked to pity nor even comprehend ; and the confiding American youth, thinking gray hairs and grave advice must be trustworthy, sets to work to discover the practical merit that must lie somewhere or other at the bottom of British mediocrity and "decent debility ;" he never suspects that the sole charm of these mediocre models lies not in the British platitudes and rigmarole, but in the Latin word *gratis*. While thus employed, he sees, one fine day, some sketches of life in California, Colorado, or what not, every fact and idea of which has been stolen from his rejected MS., and diverted from its form, and reworded, and printed ; while he, the native of a mighty continent, has been sent away, for mundane instruction, to the inhabitants of a peninsula on the north coast of France. The poor novice had contributed a real, though crudish, novelty to literature, *as any American can by opening his eyes in earnest, and writing all he sees*. It was rejected for reasons that sounded well, but were all trade pretexts stereotyped these many years, though new to each novice in his turn ; and now the truth comes out ; it was not worth buying cheap ; but it was *well worth stealing* in a nation where the Legislature plays the part of Satan and teaches men *the habit of stealing* from authors, a habit which, once acquired, is never

dropped nor restrained within any fixed limits.

What must be the feelings of the poor young man, or woman, so bubbled, so swindled, and so basely robbed, because he trusted a trader well-to-do, and did not take him for a ticket-of-leave man turned out of Sing Sing into a store ? And now go behind the swindle, and see how the geographical amendment of the eighth commandment, and the local variation of the golden rule prepare Dives for heaven in spite of parables.

"Rob the British author of his composition, by machinery," says Congress. "We will stop his *volumes* at our ports : but we will connive at one volume passing, for the use of theft, for theft is all sanctifying ; and you have but to take this one volume and wed his stolen composition to bought vehicles, for mind you must only swindle the British author ; you must not swindle a Briton unless he is an author, nor an author unless he is a Briton. As for God Almighty, we have a great respect for Him—in the proper place, and that is church ; but out of church He has not looked into these little matters *so closely as we have*. He is addicted to general rules ; and local distinctions have escaped Him. We are more discriminating."

But observe the result. The publisher goes on ; "Excelsior" is his motto. Taught to pillage the British author by a miraculously clever machine, the press, he invents another machine and pillages the native author. That machine is also a kind of press, and a clever one ; for, like the compositor and the press combined, it separates the author's words from his paper, and steals them with a view to wedding the cream of the composition *gratis* to other pieces of paper honestly bought, and selling the *bought paper* and the *stolen ideas* of the author without regard to his nationality. What does this poor boy gain by being *an American at home* ? He would be safer out of bounds. No British publisher would so abuse his confidence.

Miss Leclercq, an English actress, settled in the United States, purchased not

long ago an original play of an American author. She had not played it many nights when it was stolen by means of shorthand writers, and manuscripts sold. When she came to tour the Union with her new American piece honestly paid for, she found it was valueless, being stolen and stale. No legislature can place unnatural limits to fraud, and say to theft, "Thus far shalt thou come and no farther, and here shall thy dirty waves be stayed."

You produce a drama in England: it is taken down shorthand for the United States. An Englishman's *unpublished play* only escapes theft or colorable piracy in the States by failure. Merit is rewarded by pillage.

But I hope enough has been shown to prove that a legislature and its judges launch its people into illimitable fraud, when they pass geographical amendments upon the eighth commandment and the golden rule, and defile the common law with pettifogging distinctions, the fruit of corruption and sophistry, which are bad in law, grossly immoral, revolting to common sense and the conscience of all impartial men, and contradicted by the usage of the old kingdom, and the deeds, and the words, of our common ancestors.

I leave that, and go to public expediency. I shall prove the fivefold iniquity is bad public policy: that the American reading public is between two stools; robbed of free trade in books to swell the taxes, and robbed of a national literature, and a national drama, to gratify one of the smallest cliques in the nation; and this without either the nation or the clique gaining *or saving* one single cent. So that the thing is suicidal kleptomania. And this I say is one of the bitterest wrongs of authors—that sooner than not pillage them, men will hurt themselves, and will cut their own throats, to wound an author.

CHARLES READE.

## ELEVENTH LETTER.

### THE FOUR FOGS.

SIR — Outside these letters and Mr. Reverdy Johnson's, international copyright and stage-right are shrouded in four thick fogs — legal, moral, verbal, arithmetical.

I read what is written over the water, and grope for an idea. In vain: it is all verbal and arithmetical fog.

Verbal fog *A* — They can't get along without calling copyright and stage-right monopolies: but they dare not risk £50 to £150 upon that fallacy, and it is an irrelevant fallacy here, since international patent-right is a monopoly: and it cannot be used to defend the American Legislature, because that Legislature, for the last hundred years, has declared copyright to be property, in the laws of the separate States and the laws of the Republic, which these ignorant citizens had better begin to read.

*B.* — But a more delicious piece of verbal fog is this—they say, "We shall not give up free trade in books to please the Britishers." Free trade in books, quotha! why it does not exist in the Union. Free trade is not freebooting. Free trade means buying and selling, unburdened by imposts. Now there is thirty per cent duty on foreign books at the American ports, and freebooting in copyrights can never supply the place of free trade, for copyright is, in money, only seven per cent on retail prices: and, as for stage-right, that does not take a cent from the public. The prices of an American theater are just the same when a play is paid for or stolen. By theft of a foreigner's stage-right the American public has lost a national drama; but it has never gained nor saved the millionth of a cent since the country was colonized.

International stage-right is not offered by those who object to international copyright. These arithmeticians draw no distinction. Against international copyright and stage-right every one of their arguments rests on the notion that the main expense of a book, or of a seat in a theater, is the dramatist's fee, and the

fee which copyright enables a book author to extort directly from the publisher and indirectly from the public purchaser. Of course, so impudent a falsehood is never stated. But why? Statement is not the weapon of a liar, nor of a self-deceiver. Both these personages convey—insinuate—suggest—assume. They never state. Clear statement and detail are antidotes to the subtle poison of vague fallacies. But just test their public arguments, and see if you can find one which does not convey, in a fog of words and figures, that the author's fee is the main expense of a book. One salaried writer not only takes this ground, but, as piracy has deprived Americans of their own judgment, and made them provincial fog-echoes of British muddleheads, he repeats, with true provincial credulity, Macaulay's Fog Epigram, for the instruction of his countrymen. This done, and very old London fog offered to New York for modern sunshine, he infers fairly enough—because the *inference is his own*—that if domestic copyright is so heavy a tax on the public, a State should hesitate to extend the injustice to foreign nations. Very well, young gentleman: I have no quarrel with *you*. *If Macaulay is right, you are right.*

A second rate rhetorician may be a babe in logic. Macaulay, in this very speech, called copyright "a monopoly in books," and that is verbal fog, as I have shown. The only monopoly in books nowadays is a trade monopoly held by publishers, and established by custom, not law. As for copyright, it is a singularly open property; why every *man*, *woman*, and *child*, in the Republic or the Empire, who can fill a sheet of paper, can create, enjoy, and bequeath a copyright, though a minor, and in case of co-heirs it is distributable like other personal property. It is a property *bounded only by nature*.

Fog epigrams are for our amusement, not our instruction, and Macaulay's is bottled essence of arithmetical fog.

"Copyright," says he, "is a tax on readers to give a bounty to authors."

Now we will let in a gleam of arithmet-

ical sunshine on this. Writers are human beings with stomachs. They cannot write masterpieces, as Duns Scotus copied the Bible, during the throes of starvation. They must be paid, copyright or no copyright; and an author's copyright has a special operation on a *pirate*, but none on the *reader*. Whether an author is paid by wages or by copyright, his remuneration must equally fall on the public purchaser. Macaulay, therefore, has taken a distinction where there is no difference. The Anglo-Saxon muddlehead is always doing this. It is his great intellectual excellence, and makes him the ridicule of Europe.

However, the great vice of his fog epigram is "FRAUDULENT SELECTION." It picks out of many legitimate profits a single one, and conceals the others. If just profits on human labor, etc., were *taxes, which they are not*, every edition of a work would represent the following taxes—

1. The rag-picker's profit.
2. The paper merchant and his men.
3. The printer and his men.
4. The binder and his men.
5. The publisher and his staff.
6. The author.
7. The retail bookseller.
8. The advertising column.

These are all taxes and bounties, as much as is the author's remuneration, be it wages or copyright. To be sure, if any one of these characters makes an *excessive* profit, compared with the others, that might be called a bounty. And that reminds me—was not Macaulay's Fog Epigram preceded by another which said, "Publishers drink their wine out of authors skulls?"

Well, if any one gets a bounty, or excessive profit, it is not the copyrighted author, and I don't think it is the publisher—epigram apart. The public result of these *copyright transactions* is this—

The paper merchants are rich.

The printers are rich.

The binders are well-to-do, but few.

The publishers are well-to-do. But I deny that they owe that to *books*.

The authors are the poorest creators of valuable property on the face of the earth.

To descend to details. The retail dealer

gets TWENTY-FIVE PER CENT of the retail price. All that authors of books, as a class, extort by means of copyright, is SEVEN PER CENT on the retail price, which is 10 per cent on the publisher's net returns. So much for the comparative tax the reader pays to the author and seven more traders. Now for the bounty. This can only be ascertained by measuring the work done against the remuneration. Price of a book to the oppressed reader—say 1 dollar, or 4s. Value of the paper, printing, binding, advertisements, 45c., or thereabouts; of the composition, 55c. Sole creator of the composition, the author; his remuneration 7 per cent, his share of the production worth 55 per cent. Droll bounty this! For passing the book through his hands, often on sale or return, the retailer gets 25 per cent. What the other traders and workmen get, I cannot say, nor is it necessary. Enough that they are all richer than the authors. Now compare the arithmetical fog of Macaulay and his Transatlantic echo with this gleam of arithmetical sunshine.

The American Legislature now knows the worst. Seven per cent on the retail price does domestic copyright enable authors, one with another, to screw out of a book. Seven per cent is all we expect, or hope, or *ask*, from the great Republic, and all the American author will ever get in England.

The misfortune of authors is this—they cannot, as a class, secure any remuneration at all except through copyright. But copyright effects this just end by unpopular means. It stops all sale till it secures a modest remuneration. Then men, forgetting that the stoppage of sale is not the end, but only that severe means to a just end which the heartless dishonesty of mankind makes necessary, fall into needless fear of the tyrannical means that leads to a mild result. This sentiment it is which leads to a misgiving in the United States that international copyright would be abused to enhance the prices of English books. Americans do not really know our book trade, and are led to natural but erroneous notions of English prices by seeing the three-volume

novel advertised at 31s. 6d. But the truth is we have a rotten trade for the upper ten thousand, and a healthy trade for the nation. The rotten trade is the hiring trade: of course, it operates on books just as it does on pianofortes—it reduces the customers 'to a handful, and artificial prices become a necessity of that one narrow market. The 31s. 6d. is all humbug, the public does not buy a copy, the sale is confined to the libraries, and the real price is 15s. to 18s., if by a popular author, but otherwise 9s. to 12s. But it is a calamitous system, encourages the writing of rubbish, and enables the librarian, whose customers are a class born to be humbugged, to hold back the good book, and substitute the trash, with dishonest excuses, in the credulous country customer's parcel. But so far from clinging to this rotten trade, intelligent authors and publishers in this country would gladly see it done away with, and the universal habit of buying books restored: and I, for one, look to the American publishers to help us in this with their sounder system; for under just laws, when a sound system encounters an unsound, it is always the unsound that gives way. Below the above rotten trade lies the true trade of the country—good books at moderate prices—and some books and periodicals at wonderfully small prices. These very novels, sold to the libraries at fabulous prices, are sold to the public in one volume at 6s., 5s., and 2s. At 2s. they are in boards, with an illustration outside, and a vignette.

To show what a bugbear copyright is in books of durable sale, American publishers can't produce such a volume for 50c., by stealing the composition, as the English publishers do, paying copyright.

I submit to you specimens of cheap publications under copyright, and I challenge the American publishers to match them with cheap piratical books or papers.

However, there is nothing new under the sun. The fear that British authors or the assignees of their American copyrights might stand out for our *library*

prices in the United States is an old mis-giving which has had its day in England. Queen Anne's Parliament had much such a fear. Well! What did they do? Why, provided against it in a section giving a right of complaint to several great functionaries, or any one of them, and investing those dignitaries with special powers to compel the publication on reasonable terms. The precaution proved quite superfluous; for not one single human being was so perverse as to lock up a good book, or sell it at a price the public could not afford. The section was a dead letter, and is now repealed. However, if the Legislature of the United States is uneasy on this head, it is not for us, who ask a great boon, to make childish difficulties. Here is the cure in a stroke of the pen:

"And that the price of books written by British subjects, but papered, printed, and bound in the United States, as hereinbefore enacted, may not be unduly enhanced, be it enacted that the proprietor of the copyright in any such work shall be compelled to publish, or cause the same to be published, in the United States, within the times hereinbefore specified, at a reasonable price, not exceeding the highest price that is demanded for a book of the same character, size, and quality, written by an American citizen, and published at, or about, the time: and the price of such work shall be duly notified and advertised in three journals of large circulation seven days before publication, and, should the price so advertised appear excessive, it shall be lawful for any person to lodge a complaint with . . . . [here enumerate the functionaries], and the . . . . on the said complainant giving security for costs and offering evidence, shall have authority to suspend the publication and hear the evidence without delay, and, if the price advertised be excessive, shall affix a just and reasonable price, provided always that in those cases where the book shall be published for the foreign proprietor by an agent being a native of the United States, the agent, or proprietor, shall be allowed to add the reasonable fee of the agent to the

price of the said book." Add a clause giving various and large discretionary powers to the said judges.

If, with all these safeguards to the American public, to the stationers, and the public, international stage-right, against which no objection has ever been offered, and international copyright, both properties that belong to us by common law, are both refused to the American and British author, while international patent-right is enacted, and yields a balance of £300,000 a year, British money, to American citizens, then justice is *nothing*, fair play is *nothing*, humanity to those men living, whom the Republic worships dead, is *nothing*, and a national literature is *nothing*, and it is *nothing* for a great nation which, in the heat and misery of its war, could find pity and substantial generosity for one set of British subjects, and by so doing has covered itself with glory—it is *nothing*, I say, for that noble nation to single out another set of British subjects less improvident, and more deserving, and make war upon those worthy, weak, and unarmed men in time of peace.

Could I gain the ear of one Ulysses Grant, I think he would side with the weak: and if he did the quintuple iniquity would soon fall: for it is not so well defended as Richmond was.

CHARLES READE.

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#### TWELFTH LETTER.

SIR—Permit me to head this short letter

#### THE IMPENITENT THIEF.

This is a character disapproved in Jewish history. But he has it all his own way with us in Anglo-Saxony. One of his traits is to insult those whom he pillages. He puts one hand in our pockets, and shakes the other fist in our faces. As an example I note some sneers by a Mr. Pascoe, and other professors of moral and

arithmetical fog, that authors, in asking for international copyright, show an excessive love of money. That remark applies more to those who covet the property of others, than to those who only covet their own. It is a sneer that comes as ill from salaried writers, who cannot be pillaged, as it does from pensioned lawyers: and it is a heartless sneer: for they know by history—if they know anything—that authors have passed through centuries of pauperism, misery, and degradation, and have only arrived at modest competence and decent poverty. Popular authors are rare, and even *their* income does not approach that of the prosperous lawyer, divine, physician, actor, or actress. There are two actors about, who have each made one hundred and fifty thousand pounds by playing a single part in two plays, for which the two authors have not received two thousand pounds. The painter has two great markets, his picture and his copyright. The author has but one. International copyright will merely give him two, and raise him to the painter's commercial level. No author has ever left a fortune made by writing. Dickens, the sole apparent exception, was a reader and a publisher. As a rule, when a respectable author dies, either he had independent means, or the hat goes round. If authors are to be respected in Anglo-Saxony, they must not be poor: they must have better terms at home, or international copyright, to meet the tremendous advance of price in the necessaries of life. Three or four stray individuals, such as Milton and Spinoza, have been poor and dignified. But they were *rare aves*. Dignified poverty in a class is a chimera. It never existed. The character of a class is the character of the majority in that class: now no majority has ever resisted a strong temptation, and that is why all greatly tempted classes fall as classes. Johnson knew more than Camden, and he says, "Poverty is the worst of all temptations: it is incessant, and leads, soon or late, to loss of self-respect, and of the world's respect." The hypocrite Camden demanded an author with aspiring genius and no eye to

the main chance. The model he demanded crossed his path in Oliver Goldsmith; but the hypocrite Camden treated his beautiful with cold hauteur, because his beautiful was poor; the same hypocrite was to be seen arm-in-arm with Garrick, for *he* had lots of money.

Oliver Goldsmith, next to Voltaire, was the greatest genius in Europe; on the news of his death Burke burst into tears, and Reynolds laid down his brush and devoted the day to tender regrets.

I now cite a passage verbatim from the notice on Goldsmith in the "Biographia Dramatica":—"It was at first intended to bury him in Westminster Abbey; and his pall was to have been supported by the Marquis of Lansdowne, Lord Louth, Sir Joshua Reynolds, Mr. Burke and Mr. Garrick. But a slight inspection of his affairs showed the impropriety of incurring so great an expense. He was privately interred in the Temple burial-ground, attended by Mr. Hugh Kelly, Mr. Hawes, the Rev. Joseph Palmer, and a few coffee-house acquaintances."

If the deceased genius was poor, Reynolds, and Garrick, and the rest, were rich. *They* could have secured him the place he deserved in the national temple. But no: he was *poor*: and observe, those who were ready to lay genius in Westminster Abbey had it been wealthy, would not even follow it to the Temple Church, when they found it was poor. The fact is, that great immortal genius was flung into the earth like a dog, and to this day *nobody knows where he lies*.

I now cite verbatim from the "Life of Mrs. Oldfield":—"The corpse of Mrs. Anne Oldfield was carried from her house in Grosvenor Street to the Jerusalem Chamber, where it lay in state, and afterward to the Abbey, the pall being supported by the Lord Delawar, Lord Harvey, the Right Honorable Bubb Doddington, and other men of *ton*."

This lady was a good actress, and had lived in open shame with Mr. Maynwaring and Brigadier Churchill, and had lots of money. Therefore this artist was buried in the Abbey, and the greater

artist, Goldsmith, being pure, but poor, had the grave of a dog.

In these two extracts you see the world unmasked by its own hand, not mine. This, my Lord Camden, is that dirty world, of which you were a gilt lump. This is the real world as it is, and was, and always will be. Many authors are womanish; so they listen to the flatteries that cost nothing, and, when they find it all humbug, they sit down and whine for a world less hollow and less hard. But authors, who are men, take the world as as they find it, see its good sense at the bottom of its brutality, and grind their teeth, and swear that the public weasel shall not swindle them into that unjust poverty, which the public hog despises in an author, and would in an apostle.

CHARLES READE.

### THIRTEENTH LETTER.

SIR—An egotist has been defined a man who will burn his neighbor's house down to cook himself two eggs.

If it be true that two or three American publishers are the sole obstacle to international stage-right and copyright, the definition applies, so great is the injury they do; so little, if any, the advantage to themselves. How would international stage-right injure them? Yet it is they who crush it, and demoralize theatrical business, and kill the national drama. How would even international copyright, on the conditions I have offered, injure them? It could not hurt them at present; it must improve their condition in the end. The professors of arithmetical fog call it "a present to British authors." The idiots! is it any more a boon to English than to American authors? It is a *present* to neither. On the contrary, it offers the publisher his highest remuneration for his smallest outlay. Take a popular English novel—it is not unusual to sell 120,000 copies at a dollar. Under piracy by law established, one publisher

does not get the sale. Often the thing is torn to pieces; but let us limit the publication to four persons; assuming that each sells about 30,000 copies at a profit of 25 cents, that gives \$7,500. I admit that under international copyright 7 per cent must be deducted for the British right. But then the publisher who pays the Briton, will sell all the books. Now 120,000 copies at a profit of 25 cents minus 7 = 18 gives a total of \$21,600. And here you may see the reason why copyrighted books can be sold *cheaper* than pirated books, yet yield a good profit.

Publication of *books* is in a general way a poor business. Men of enterprise and talent would not descend to it but for the great prizes. I therefore reason fairly in taking a book of large sale for trade sample; not that 120,000 copies is a very large sale in the United States; I know books that have quadrupled that figure in a year's sale.

Under international copyright the American publisher, dealing either by purchase or otherwise with British copyright, could also levy a just and moderate tariff on the 400 or 500 newspapers that now steal any popular British book. So much for the American side. But the American publisher would also, by his position and intelligence, secure many of the American copyrights in England, and, even if he contented himself with an author's percentage there, that would be at least a set-off, though it needs no set-off. But if, on the contrary, he should take the public advice I have given him, and have a place of business in London—which is the great game—all manner of lucrative combinations would arise under international copyright. That great boon would not change the nature of authors and make them, as a class, hard bargainers or even good men of business. They deserve 7 per cent in each market, but they would not be sharp enough to get it one time in thirty.

When you add to all this that international copyright would relieve the American author of the competition of stolen goods which is stifling him, and make the most intellectual country in

the world a hotbed of intellectual productions, by which the American publishers must necessarily profit most, their opposition to international justice and public policy will, I hope, cease; for it would be egotism beyond the definition supra; it would be the blind egotism, that sacrifices national honor and the clear interests of all producers, and of the public reader, to one *sham* interest.

With this letter I send one to a powerful American firm, offering them again what I offered them years ago, that, under international copyright, they shall be my London publishers, if they please, and publish my books, if they please, on the very terms I will demand of them in New York: 7 per cent on the retail price, which is 10 per cent on the trade sale price. As I am popular in America, and perhaps no writer under international copyright could make better bargains, and as I pass for a screw, this should tend to convince reasonable Americans that international copyright, though a great boon to authors and honest publishers on both sides the water, is not a tax upon any one. Consider—for passing my books through their hands in London I offer an American firm all I will ask in New York for having written those books; for having written those books I will ask no more in the United States than I offer them for just passing the books through their hands in London. Please bring your minds to bear on this, you that possess a mind.

So much for petty expediency and financial fog. Ought these to stand in the way of national justice, national impartiality, and a national literature? Ought classes so important as the American author, the American spectator of plays, and the American reader, to be mocked with the title of Republicans, yet misgoverned and outlawed by a Venetian oligarchy, a mere handful of short-sighted traders, clinging blindly to piracy as some men cling to drink, not that it does them an atom of good, but just because they have got into the habit?

Those mediævals whose lofty method—conjecture *v.* evidence—Sir Joseph Yates

follows in copyright, discovered that witches who rode upon the whirlwind and led the storm could be arrested in their furious career by two straws placed across. When I consider with what pitiable reasons the fivefold iniquity has been defended, and is even now defended, against Mr. Reverdy Johnson, and these letters, I seem to see the men of the dark ages laying down their straws. Ah! and so you think national justice, honor, and humanity are three old bedlams that will never pass your straws? I deem more nobly than you do of the nation you disgrace and mislead. The people that were in trouble yet relieved the British cotton-spinners must have a heart not bounded by the ocean: the nation that could, at a cost of blood and treasure, forego the two-legged beast of burden and make the negro a man, must have a conscience; and our turn will come, please God, though my head and heart may both have ceased to ache at man's bad logic, and man's injustice. Yes, the great Republic has raised its negro to the level of a man; it will one day admit its authors to the level of a negro.

Farewell, you four fogs, farewell you rogues and fools who made them; I leave the pettifogger who reasons *a priori* against evidence, and divines that the common law abhors forfeiture of a right—unless it is held by an *author*—and reads implied contracts as “exchange of equivalents”—unless one of the parties is an *author*, and if an author *gives* a written copy without reserve, and abandons, for eighty years, his right to publish, says that is no *gift* of the right to publish; but if, instead of laches and neglect and all that really forfeits a right, he adds possession to title and *sells* one copy to a man, says that *sale* is a *gift* of the right of publication. I leave the liars, idiots, and beasts, who reason thus against evidence, and call it law, with one remark: the greatest asses God has ever made are *little lawyers*. Your little lawyer is a man who has parted with the good sense of the layman, and has not advanced one inch toward the science of a Mansfield or a Story.



I leave the men of verbal fog, the poor adlepatates, who call a man's sole right to sell his own composition "monopoly," and his sole right to sell his own hen and her chickens, his own seed and its great increase, "property;" and call free-booting in copyright with a 30 per cent tax on books "free trade in books."

I leave the ranting rogues, the romantic pickpockets, who say that an author is to work only for praise (against which dispraise and foul scurrility are not to weigh, of course), but that a judge and an archbishop are to work for money as well as credit—in a word, I leave the whole tribe of gorillas and chimpanzees, in whose hands I found this subject, to recommence their incurable gibbering and chattering; reason they never did, and never will. As for me, I shall take leave to rise, for a little while, above their dunghill in a fog, and speak as a man who by long study of the past has learned to divine the future, and is fit to advise nations.

1. Justice to authors is the durable policy of nations.

2. The habit of inventing is a richer national treasure than a pyramid of stolen inventions.

3. Invention is on the average the highest and hardest form of mental labor. It is the offspring of necessity, and nursed by toil.

4. Hence it follows that in whatever country invention can be appropriated by direct theft, or adaptation, or any easy process except purchase, the habit of invention is discouraged, and each act of invention undersold and the inventor punished.

5. Therefore, by pirating from foreign authors, a nation scratches the foreign author's finger, but cuts the native author's throat, and turns its own intellectual sun into a moon, and robs itself of the habit of inventing, which is a richer national treasure than a pyramid of stolen inventions. This is a universal truth: the experience of Europe in every age confirms it, and in the United States it is a special truth, for the Republic has put justice and injustice side by side, so

that even a child may see which is the more enduring policy. Of international patent right the result has been rapid and remarkable. The States were behind us in invention; they soon advanced upon us, and caught us, and now they head us far. International justice began with a trade balance in our favor; yet now the States draw an enormous balance from Europe, and about three hundred thousand a year from Great Britain. Europe teems with the material products of American genius. American patents print English newspapers and sew Englishmen's shirts; a Briton goes to his work by American clocks, and is warmed by American stoves and cleansed by American dust collectors; whereas my housemaid, when she dusts with a British broom, only drives it from pillar to post. In a word, America is the leading nation in all matters of material invention and construction, and no other nation rivals nor approaches her. It is "Eclipse first, and the rest nowhere."

Now do but turn an eye to the opposite experiment. What is the position in the world of the American author? Does he keep pace with the American patentee? Why, it is a complete contrast: one is up, the other is down; one leads old nations, the other follows them: one is a sun diffusing his own light over his hemisphere and ours, the other a pale moon lighted by Europe. Yet the American mechanical inventor has only the forces and materials our mechanical inventor can command; whereas the American author has larger, more varied, and richer materials than ours. Even in fiction, what new material has the English artist compared with that gold mine of nature, incident, passion, and character—life in the vast American Republic? Here you may run on one rail from the highest civilization to the lowest, and inspect the intervening phases, and write the scale of man. You may gather in a month amid the noblest scenes of nature the history of the human mind, and note its progress. Here are red man, black man, and white

man. With us man is all of a color, and nearly all of a piece; there contrasts more piquant than we ever see spring thick as weeds; larger and more natural topics ring through the land, discussed with broader and freer eloquence. In the very Senate, the passions of well-dressed men break the bounds of convention; and nature and genuine character speak out in places, where with us etiquette has subdued them to a whisper. Land of fiery passions, and humors infinite, you offer such a garden of fruits as Molière never sunned himself in, nor Shakespeare neither. And what food for poetry and romance were the feats of antiquity, compared with the exploits of this people? Fifty thousand Greeks besieged a Phrygian city, fighting for a rotten leaf; the person of an adulteress without her mind. This ten years' waste of time is a fit subject for satire; only genius has perverted it into an epic; what cannot genius do? But what is it in *itself*, and what were the puny wars of Pompey and Cæsar, compared with a civil war, where not a few thousand soldiers met on either side to set one Pompey up, one Cæsar down; but armies like those of Xerxes encountered again and again, fighting not for the possession of a wanton, nor the pride of a general, but the integrity of a nation and the rights of man. Yet the little old things sound great and the great new things sound small, *carent quia vate sacro*.

The other day man's greatest feat of labor was the Chinese wall. It is distanced. An iron road binds hemispheres together. See it carried over hill and dale, through civilized and uncivilized countries; see the buffaloes glare and snort; and the wild tribes gallop to and fro in rage and terror, as civilization marches, with sounding tread, from sea to sea. See iron labor pierce the bowels of the mountain, and span the lake's broad bosom. It creeps; it marches; it climbs; it soars; it never halts; the savages arm, and saddle their wild steeds; they charge; they fire; they wheel about, with flaming eyes and flying arrows; but civilization just takes

its rifle in one hand and its pick in the other, and the labors of war and peace go on together, and still the mighty iron road creeps, climbs, and marches from hemisphere to hemisphere, and sea to sea.

These are the world-wide feats that touch mankind, and ought to thrill mankind. Yet they go for less than small old things done in holes and corners—*carent quia vate sacro*. For there, where the soil is so fertile, art is sterile. Few are the pens that glow with sacred fire; few great narrators; and not one great dramatist. Read the American papers—you revel in a world of new truths, new fancies, and glorious crude romance, awaiting but the hand of art; you roll in gold-dust. Read their dramas or narratives—How French! How British! How faint beside the swelling themes life teems with in this nation, that is thinking, working, speaking, living, and doing everything except writing, at a rate of march without a present rival or a past parallel beneath the sun.

The reason is nine-tenths of their heaven-born writers are nipped in the bud, snubbed, starved, and driven out of immortal literature by piracy before they can learn so profound and difficult an art. Some driven into business; some driven on to the land, which there God, in his mercy, has thrown open to the oppressed; some driven into journals that go bankrupt by the hundred.

Mr. Emerson: "There are men in this country who can put their thoughts in brass, in iron, stone, or wood; who can build the best ships for freight, and the swiftest for ocean race. Another makes revolvers, another a power press. But scarcely one of our authors has thrown off British swaddling clothes. The great secret of the world-wide success of 'Uncle Tom' was its novelty; it had something peculiarly American in it. The works of American authors have been smothered under English authors in the American market. Not only has the wholesale system of malappropriation most injuriously affected the interests of living American authors, but it has a tendency to dwarf down the original literature of

the United States to a servile copyism, and to check the development of the national mind."

Piracy is a upas tree. If you really love your great Republic, and wish to see it honored and appreciated, down with that upas tree, and you will lead the world in art as well as in mechanics. The gorillas and chimpanzees are not ashamed to say that they see no consequences of international justice, but that books will be dearer in the States. Perhaps not, and for that very reason we don't look to gorillas for prescience, or to chimpanzees for prophecy.

Of international copyright and stage-right the following are a few, and only a few, of the certain consequences:

1. The American publishers will say, "Confound John Bull. We'll show him we can do without him." They will read American MS. with a kindlier eye. Young American authors will get a chance to learn their art by practice.

2. American publishers will have a place of business in London. Combinations will arise they never dreamed of. They will do all sorts of business with our authors and publishers, and often take the whole property in Britain, her colonies, and the States.

3. Australia, seeing so good an example, will fall into better practical arrangements both with Great Britain and the States. Waste a few years more and she will pillage us both.

4. The deep and sullen resentment British authors now feel against the American nation will give way to kindly and grateful feelings. They will go over to the States, not to fleece the natives in return, by reading poor lectures in a country of good lectures, nor yet to skim a few States with jaundiced eye and publish shallow venom; but to sojourn, and study, with keen and kindly eye, the nation best worth studying in the universal globe. From this will arise great pictures of American life with some inaccuracies.

5. Taught by foreigners their own treasures, Americans will begin to take bird's-eye views of American life, and we

shall get great American narratives of all sorts, and, by-and-by, a great play or two.

6. The American women, better cultivated than other women, reared with larger minds, and less overburdened with domestic cares, will begin to take their true place in Anglo-Saxon literature. A brilliant career awaits them.

7. Americans are mortified, and justly, at the sullen apathy of Europe and British indifference. It will soon cease when the cause ceases. They have made a bad selection; the Britons they should have outlawed are the chimney-sweeps, not the intellectual lords who guide public opinion. All they do will be noticed and criticised justly, and no nation is the worse for that.

8. International property is a bond of friendship and a security for peace and good-will. There will be in each country several persons holding property in the other, and desirous to compose differences, not inflame them; whereas the writer for wages is comparatively reckless, and has often jeopardized peace with his stings.

9. Eventually the States will produce beyond men's wildest dreams at present. Nature is rich; we are too apt to bound her by the narrow experience of our own life. Time, population, and encouragement will grow another Scott, another Cooper, another Byron, and even perhaps another Shakespeare; for, under equal rights, intellectual giants are far more likely to spring in the States than here. The studies of Bret Harte, the pastorals of Carlton, and other true gleams of genius that now come from the States are like jets of water forcing their way through a sea-wall. The gorillas and chimpanzees look at them, and say "that is all the water there is." To a higher intelligence they show how strong is nature, that any water at all can come through the barrier of bad laws. Remove the wall, and the infinite waters will flow, where now those struggling jets reveal the curbed ocean.

The true lawgiver is rare. For ages senators have preferred party to mankind, and it has made them as ephemeral as

gad-flies. Your Solon and Lycurgus climbed hills above the dust of strife and the mists of clique, and took a bird's-eye view of all the land. If, among my American readers there is one senator, to whom the old Republican lawgiver seems a bigger, and a better, and a more enduring man, than the ephemeral mouthpiece of ephemeral party, he can play the ancient lawgiver on a grander field than antiquity afforded. It is not every day that a single earnest statesman can brighten the tarnished escutcheon of a great and generous Republic, and heal the deep wound of a kindred nation, cut down a fivefold iniquity and a national upas tree, lay the first stone of a mighty literature, and earn the gratitude of the greatest minds in two great countries. This would be to rise above the mob of senators, the noisy squabblers of a Congress, and them "whose talk is of bullocks." If there be such a man at Washington—and surely there must be many—let him hold out his hand and grasp true honor, not vociferous, but lasting; the arts, immortal themselves, confer immortal fame, or infamy, on friend and foe: cliques and parties come and go; but these flow on forever; and, though no greasy palms applaud their champion, to the bray of trumpets, and the flare of gas, a mild but lasting light, still brightening as justice spreads and civilization marches, shall hover around his living head, and gild his memory when dead. The words of Reade are ended.

Sir—I did intend to go into the domestic wrongs of authors. But, as a commission of inquiry is about to collect facts, it would be more proper, on many accounts, to postpone that matter. Besides I have already intruded too long. Be pleased to accept our thanks for the sacrifice you have made to justice; you have allowed a worthy but unpopular subject to occupy many, many columns of a popular journal, and both American and English authors owe you a deep debt of gratitude, which, unfortunately, we can only pay in words.

CHARLES READE.

## LETTER TO MR. J. R. LOWELL

(UNITED STATES MINISTER).

### ON INTERNATIONAL COPYRIGHT. RIGHT.

19 ALBERT GATE, KNIGHTSBRIDGE.  
September 2, 1880.

DEAR MR. LOWELL—You are good enough to desire my opinion upon a proposed Copyright Treaty between the United States and Great Britain, "the principal feature of which is the granting of Copyright, provided the book be manufactured in the country so granting it by a subject or citizen thereof within three months of its publication by the author."

To reply to this outline I must ask to dissect it; for here in one sentence are two proposals that I consider heterogeneous, and even discordant.

Permit me then to put the matter thus:

1.—The book to be manufactured in the country granting Copyright, by a subject or citizen.

2.—This to be done (and I conclude the book published) within three months, etc.

No. 1.—Let us examine precisely the grievance this treaty proposes to alleviate.

An author's work which, when worth pirating, is the fruit of great labor, consists of an essential substance and a vehicle.

The substance is the composition; the vehicle is generally paper and words written with ink.

That the composition is the substance—though puny lawyers and petty statesmen cannot see it—is shown by this, it can be sold *vivâ voce* apart from paper and written or printed words: dramatic compositions are so sold, and the first *Epic* poem was so delivered to the public for centuries, and the *Chronicles of Froissart* were sold *vivâ voce* by the author, and to his great profit, and no copies made till he died; and the public used to pay Dickens a much higher price for his spoken compositions, than for the same compositions papered, printed, and bound.

A printed book, or play, is only the manuscript multiplied; the composition remains the substance; the paper, print, and binding, are still a mere vehicle, and not the only one; the Theater sells the same composition with quite a different vehicle.

Now the grievance of authors against nations cultivating piracy is this—they rob the foreign workman, who produces the substance, of a book or play, yet remunerate all the workmen, *whether native or foreign*, who produce the mere vehicle. The injury is leveled at the foreign author quâ author, and not quâ foreigner.

Let a foreign author cross the water with a play and a book. Let him go into a theater and a printing-house; let him play one of those many characters he has created in his drama, and print fifty pages of his own composition, he can extort remuneration—although he is a foreigner—for both vehicles; but he can enforce none for the far more valuable substance he has created with infinitely greater, higher, and longer labor. Here then is an exceptional fraud leveled at exceptional merit, and one producing laborer picked out of a dozen for pillage, though what he produces contributes more to the aggregate value than the labor of all the other workmen concerned.

This iniquity may pay a handful of booksellers, or theatrical managers, in a nation cultivating Piracy, but it massacres the authors of that nation by the competition of stolen compositions, and it robs the nation of the habit of literary and dramatic invention, which is a greater *national treasure* than any amount of stolen compositions, since the nation, which harbors pirates, has to pay the full price for the vehicles, and does not get the substance or composition for nothing, any the more because its booksellers and theatrical managers do. Indeed, as to the latter, the prices are never lowered to the native public one cent, in those cases where the manager steals the drama from a foreign author.

Now proposition 1, taken singly, entirely cures the above grievance, so far as printed books are concerned.

Authors have a moral right to be paid for their compositions, in every nation where the vehicle is paid for and the combination sold, not given away; but they have no moral claim, that I am aware of, to create and sell the *vehicle* in a distant land, and if they have no such right, still less can their native publishers—mere occasional assignees of copyright—pretend to acquire a right from authors, which authors themselves do not claim.

The United States are a protectionist nation, and it would be egotistical and childish of English authors to expect that nation to depart from its universal policy, and to make an exception in favor of authors, and their mere occasional assignees; our cry is “no partiality!” To ask you to deviate from your universal policy would be to ask for “some partiality.”

Proposition 2. This rests on no basis of universal equity or of uniform national policy. It does not come from the mind of any American lawyer or statesman. It is one of those subtle suggestions of Piracy, with which all copyright acts are marred. Copyrights are neither meal nor meat, and therefore, like other products of high civilization, they cannot obtain their just value on a forced sale. But three months to transact the sale of the composition and also create the vehicle is a very forced sale.

Habits are strong, and this proviso would encourage the bad habit the treaty professes to cure, instead of stimulating a good one. It would turn all the publishers, on both sides the water, into Lot's wives, hankering after dear old Piracy, and longing to put the clock on three months. By hanging back during that short period they might drive even popular authors into a corner. But the proviso would do a much worse thing than that—the rising American author, who is literally withering under the present system, and who is the victim that needs loyal and earnest protection, far more

than any British author does—would be juggled, under this proviso. For some years he must necessarily come into our market at a certain disadvantage independent of law. British publishers would either offer him one-tenth of his value or demand time to see how his book sold in the United States: and then, having gained time, would use this proviso, steal his composition, if it proved a success, or chuck him a bone instead of his just slice.

But these comments, you will understand, are leveled at the nude proviso as you have presented it to me.

If your government has foreseen that it is certain to be abused, and to render the whole treaty more or less illusory, and therefore intends to control it by some other clause, that is another matter.

If not, and the proviso has been incautiously inserted with the reasonable desire to protect the public against a foreign author's refusal to sell his copyright at all, or on reasonable terms, the whole case could be met by an additional clause giving the foreign author or proprietor the right to apply to the Judges in Banco for an extension of the term, on the ground that he had offered the copyright, or a share in it, or the use of it, but had been unable to obtain terms corresponding in any degree with his market value at home. The judges to have the right to receive written evidence, less strict than a jury would require, and to extend the term or authorize the foreign proprietor to publish through a native agent, or afford some other relief, under the vital conditions of the treaty.

Having gone deeper into the matter than I intended, I may as well volunteer a remark or two outside your queries, which may be of service to the American legislator, if he will receive it from me.

There are two great literary properties of nearly equal value and importance.

1. A man's exclusive right to print and publish the composition he has created, whether history, romance, treatise, or drama, etc.

2. His exclusive right to represent on

a public stage the dramatic composition he has created.

No. 1 is called Copyright, No. 2 is called Stage-right. But, unfortunately, the Anglo-Saxon muddlehead has hitherto avoided the accurate term, stage-right, and applied, in the teeth of sense, grammar, and logic, the imbecile phrase, "dramatic copyright," to No. 2. But the phrase, "dramatic copyright," means the sole right of printing and publishing a play-book, or it means nothing at all. It cannot mean, nor be made to mean, the right of representing a play. Now men are the slaves of words; and so our law-givers and yours, having the word "copyright" dinned eternally into their ears, and never hearing the word "stage-right," are at this moment in a fool's paradise. They imagine copyright to be an all important right and stage-right an insignificant affair.

Pure chimera! stage-right is at least as important as copyright, and international morality and sound policy demand international stage-right as much as they do international copyright.

Our two nations invest their money on the following scale.

1. A vast sum daily in newspapers, of which the title is copyright; but not the contents. These protect themselves from fatal piracy; they die a natural death every afternoon, and so escape assassination next morning.

2. A small sum, daily, in books.

3. A large sum, daily, in represented plays—one hundred thousand pounds sterling per day at the very least.

As regards 2 and 3, you will find the comparative scale indicated in the newspapers themselves; these, with unerring instinct, discover the habits of their nation. Take them through the breadth of the land, you will find they review a book now and then, but they are eternally puffing plays, and at great length.

Now by piracy of stage-right from foreigners, a nation loses its chance of that great treasure, a national drama, and does not get one cent per annum in exchange for that serious deprivation. The piratical publisher pretends he sells a

book cheaper for stealing the composition. It is not true; for, if he bought the composition under a copyright act, he would sell all the copies instead of sharing the sale with other pirates; and so could sell cheaper than in the way of Piracy: but, if not true, it is plausible, and has deceived shallow statesmen by the score.

But the piratical manager of a theater does not even *pretend* to lower his prices to the public in those cases, when he steals the composition.

There are, besides all this, two special reasons why you should propose international stage-right to the British Government, along with international copyright, and not as an afterclap, which you will have to do if you will not listen to Cassandra, better known in Knightsbridge as Charles Reade. One is, that the people most likely to give you trouble in this country, over international copyright, are the British publishers. Habitual creators of the vehicle and not of the composition and the copyright, they will naturally think it very hard they are not to be allowed to create the vehicle in the United States.

Their opposition might be serious; because, for some generations, they have been allowed to thrust themselves forward and put the authors unreasonably in the background.

To discuss with our Government the two great properties authors create, viz., stage-right and copyright, would tend to open John Bull's eyes and show him which is really the leading character in literary property, the authors, who create all the stage-rights and all the copyrights, or the publishers, who acquire by assignment about one-third of the copyrights only, and none of the stage-rights.

The second reason is that at present the American dramatic author suffers a special iniquity, by Act of Parliament, deteriorating the common law of England.

If a British author writes a drama, represents it on the stage in Great Britain, but does not publish it, and then exports it to the United States, he possesses

the sole right of representation in the United States, or, at all events, in the principal States. This has been decided by your judges after full and repeated discussion.

The American dramatist, until 1842, possessed the same right under the law of England; and accordingly *Macklin v. Richardson*, which is the English case that protects all unpublished dramas under the common law, was lately cited with authority in the tribunals of the United States on the occasion I have referred to.

But our copyright act of 1842 poked its nose into stage-right, with which it had nothing on earth to do, and inserted an unjust, oppressive and unreasonable clause, outlawing from stage-right all dramas not first represented in Great Britain. The framers of this, and a similar clause in the body of the act, mistook the root of an author's title. The poor souls imagined it accrues by publication or representation under an Act of Parliament, whereas it accrues earlier in time, and by an older and much higher title, viz., creation, and under the common law.

*Test.*—Let A write a MS. and lend it to B. B print and publish it, and register it at Stationers' Hall, and hand the MS. back, uninjured, without a scratch on it, to A. A would sue B for breach of copyright, under the common law, and B's parliamentary title, by publication and registration, would prove not worth a rush against the precedent title by creation and common law.

The American dramatist, therefore, is by the above clause in an Act that had no need to run, like a frolicsome colt, out of copyright into stage-right, and so extend the field of its blunders, subjected to a special iniquity.

In copyright there is, at present, a sort of equity of fraud. Rob my authors, and I will rob your authors. But in stage-right it is pure iniquity, and the American dramatist the victim.

These are the principal reasons why I venture to advise you not to exclude international stage-right from your discus-

sion of international copyright with the British Government.

I must now apologize for my presumption—which, however, arises from goodwill—and for the crude and hasty character of these comments. But I present them to one who is well able to sift the chaff from the grain, and so make the best of them. I am,

My dear Mr. Lowell,

Yours very sincerely,

CHARLES READE.

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### VICARIA.

TO THE EDITOR OF THE "DAILY TELEGRAPH."

SIR—There is a little stroke of business going to be done next Friday in the little town of Uxbridge, against which I beg to record a little protest. It is a public auction of a very small personalty professedly for the benefit of the Crown; but I apprehend the proceeds will go to another branch of the revenue. This sale and the threatened appropriation of certain money which was regarded by the deceased holder as trust-money, arose out of the following circumstances: The Rev. W. Orr, a Nonconformist minister, wrote, with his own hand, August 6, 1851, a will, containing a just and proper disposition of his small property. He bequeathed £50 to New College, Hampstead; £50 in three sums to three poor Christian women who had been his housekeepers at different periods; a few of his choicest books to clerical friends; his gold watch and chain to a Miss Ellen Orr; and the balance, after payment of expenses, to a Mrs. W. Orr. But as to a sum of £300 he did not bequeath it, but directed it to be returned to Miss Sarah Peters; and he appointed a Mr. Harris his executor. Mr. Orr showed this will at various times to several persons who knew his handwriting; and its contents became public.

They even reached the three poor housekeepers; and that is a sad feature of the case at present. A few days before Mr. Orr died, a dear friend of his learned that his will was not attested, and advised him to repair that omission. Mr. Orr assented, but death surprised him before he could execute his declared purpose. He died February 7, 1852, deeply mourned by his own flock and revered by all good Christians in the town of Uxbridge.

He had no relations in law. His will was attested, in fact, by half a dozen witnesses, but not, in law, "by two," and therefore his property lay at the mercy of what cuckoos still call "the Crown," but accuracy—if such a bird of paradise existed in England—would call "the Revenue."

However, high-minded men, acting in the name of the Crown, have of late been very shy of confiscating even in cases of felony, and as Mr. Orr was not a felon, but only a saint and an Irishman, and therefore could not, *ex vi terminorum*, be a man of business, we hoped that the lords of the treasury would respect his solemn wishes, since they are as clear, and clearer, than if the will had been drawn by a lawyer's clerk and signed by two witnesses.

Accordingly the matter went before the lords of the treasury in two forms.

1. Sarah Peters petitioned for the return of her £300, as above.

2. Mr. Harris, executor, offered to act and discharge all the debts, expenses, and legacies, if the lords of the treasury would forego their claim.

Miss Peters tells me she has received no reply.

Mr. Harris has heard only from the solicitor of the treasury, ordering an immediate sale of the property—with one exception. His vicarious majesty, the solicitor for the treasury, accords to the executor the right to withhold the choice books, but not the right to withhold the gold watch and chain, which were as solemnly bequeathed to a person specified as the books were. Now, I did not expect this imperial edict and high-minded, though illogical, distinction to



be signed by the chief of that bureau, for he has valued books far more than gold from his youth up until now. But, by what I can learn, the edict is not signed by any lord of the treasury whatever. It is clear on the face of things that neither the petition of Miss Peters nor the proposal of Mr. Harris has been laid before the lords of the treasury, nor considered by responsible men. Yet prompt action is taken at once by vicarious rapacity. There is no vice in any of the individuals concerned; it is merely a vicious system. The solicitor of the treasury would not pounce upon this property for his personal benefit; the lords of the treasury will bring their understandings and their consciences to bear on the matter—after a few months or years; and will probably decide in favor, not of English law, but of Continental law and universal morality, both of which support this deceased clergyman's will written by his own hand and shown to his friends. But, meantime, this harsh auction, ordered with inconvenient and indecorous haste, over a new-made grave—this present activity of vicarious greed and dead silence as to equity to come—have shocked and revolted a thousand mourners, and cruelly disappointed the humbler legatees as well as excited some public odium. I do not wish to inflame their feelings, but to suggest their removal. Therefore, as my views are always unintelligible to the clerks and secretaries, the duffers, the buffers, and the agents, of a public office, and I can no more get a manuscript past that incarnate rampart of "vicaria" than Miss Peters or Mr. Harris can, will you kindly allow me to approach the magnates of the treasury by the only *direct* road I know—viz., the column of a great public journal? I think, my lords, it would be well to let the people know without delay that you intend personally to consider the question whether or not, under the peculiar circumstances, any portion of this deceased clergyman's estate, except the amount of legacy duty, shall be finally appropriated by the State; and as regards the gold watch and chain, it is

not too late to withdraw them from the coming sale; and I hope you will concede this favor, because, if they are thrown into the melting-pot of the treasury next Friday, for not being hexaglot Bibles, it may be difficult, even should Dr. Stevenson vouchsafe his aid, to reintegrate and reconstruct the component parts so as to recover their value to the legatee. To her they are not so many ounces of jeweler's gold, but the souvenir of one who never wasted time, yet lived for eternity.

Yours faithfully,  
CHARLES READE.

March 16, 1882.

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## HANG IN HASTE, REPENT AT LEISURE:

A SUPPRESSED INDICTMENT.

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### FIRST LETTER.

TO THE EDITOR OF THE "DAILY TELEGRAPH."

September 29th, 1877.

SIR—I read with surprise and deep concern these lines in the *Daily Telegraph*, Sept. 27:

"The jury asked the learned judge if they could have a copy of the indictment.

"Mr. Justice Hawkins said, 'It would not help them in the least, written as it was in legal phraseology.'"

Now, if the judge had said, "Of course, gentlemen, you have as much right to examine the indictment as I have; but I warn you it is written in a jargon you are not intended to understand, but only to pronounce on, and so hang your fellow-creatures," there would have been no harm done, and [a wholesome reprimand administered to the pedantic cliques which words these public and terrible accusations in jargon and equivoques.

But I infer from your printed lines that

the jury asked for a copy of the indictment to compare with the condensed evidence, and did not get one.

If so, the thing is monstrous, and vitiates the proceedings, creditable as they were in many respects. Consider, sir, the Crown is not above the law. The Crown, in a prosecution of this sort, comes before the jury, who are the country, in the general character of plaintiff and proceeds by indictment. That indictment is the grave and deliberate accusation which the Crown, to guard against the errors and defects of the tongue, submits *in writing* to the judge and the jury. It is a legal document which the judge is bound to criticise severely, on grounds of law. It is an allegation of facts and motives the jury is equally bound to dissect severely, and compare it in every particular with the evidence. Then, if there is a legal defect in it no bigger than a pin's head, the judge can upset the case in spite of its merits; and by the same rule—whatever the egotism of the legal clique may think—if it vary from the truth in its allegations of fact or of motives, which latter are the vital part of an indictment, it is the duty of the jury to throw it over, or in certain cases to reduce the verdict. And it does so happen that in cases of alleged homicide the indictment ought always to be dissected without mercy by the jury, for here, where the Crown ought to be most accurate, it is most apt to exaggerate. The truth is, that many years ago the legal advisers of the Crown thirsted for the blood of accused persons, and framed indictments accordingly: and such is the force of precedent that even now the Crown (or some attorney's clerk who are content to call by that name) is somewhat given to equivocating, exaggerating, and alleging more than can be proved, especially in the way of motives, which are the true sting of an indictment.

Whatever bad and unreasonable custom the legal clique, in dealing with the nation, may have introduced into our courts, it is clearly the duty of the Crown solicitor to lay before the jury, who are

the country, not the copy, but twelve copies, of the indictment, before the prosecuting counsel opens his lips. The judge has no better, no other, title to a copy of the indictment than each several juryman has. As to the jargon of indictments, I have not found it so thick but that a plain man can pick out of the rigmarele the facts and motives whereof what we call the "Crown" accuses the prisoner. If it were, the matter should be looked into at once. All cliques, however respectable, are public enemies at odd times. Many years ago the country had to compel the clergy to read prayers "in a language understood of the people." *Country v. Clique*. Next we had to compel a clique to give us the laws of England in English. *Country v. Clique*. By and by we had to force a clique to drop the grossest compost of bad Latin and bad French nation ever groaned under, and to give us our law pleadings in English. *Country v. Clique*. And now, if it is seriously asserted that the Crown attacks the lives and liberties of Britons in a language not understood of the country, though the country has to judge both Crown and prisoner, it is time we copied ancestral wisdom, and put our foot on imbecility No. 4. *Country v. Clique*.

These, however, are after-considerations; at present I stand upon clear constitutional rights.

I understand the country demanded in open court a copy of that indictment, and did not get one.

I repeat that demand in your columns, in order that the country may see it, jargon, or no jargon, and compare it with the evidence in your columns. Of course I do not address my demand to any gentleman in particular. There are several copies in existence. No doubt some just man will awake from his slumbers and send you a copy. I earnestly hope to see it printed *in extenso*. Till then I forbear all comments on the case, because the issues are not before me, any more than they were before the country at the trial.

Your faithful servant,

CHARLES READE.

## SECOND LETTER.

October 2d, 1877.

SIR—It is an old saying that one fool makes many. I have, however, discovered something more—viz., that one muddlehead sometimes makes a million, if he can get a popular journal to print him. I must take the world as it is; and in so grave and terrible a case, I dare not let your correspondent “A. B.” pass unanswered.

He is a lawyer, and does not pretend to deny that the jury have as good a right to a copy of the indictment as the judge has. But he says that in a large experience of criminal trials, he never knew a judge to hand a copy of the indictment to the jury. He adds, in the roundabout style of men who do not think clearly, what really comes to this, that as the judge *talked* a great deal and well, it did not matter to the jury what the Crown *wrote*.

Now, sir, this is no answer to me. I never said the judge was bound to volunteer a copy of the indictment to the jury; I never denied the malpractice of the courts, and that the Crown solicitor does not hand twelve copies to the jury, though it is his duty. I have never denied that twelve unguarded jurymen, new to the courts, often let the legal clique trepan them into trying a case without studying the written issues. But ignorant persons can only forego their own rights. Their ignorance does not forfeit the rights of the informed. What we have to do with is a jury which acted on their rights and their duty. They were just enough, wise enough, and wary enough, to demand, at a critical period of the trial, a copy of the very words of the Crown upon which, and not upon the judge's words, they had to say, “Guilty or not Guilty.” The judge put off this their just and proper demand, and gave a reason which, weighed against the wise and proper reasons of the jury and against their constitutional right, sounds almost like mere levity. By so doing, he left them to give their verdict on his own spoken words alone, and not on the written words of his Sovereign and

theirs. This is the case. I think it is without precedent and vitiates the proceedings. If there is a precedent, however, it will be found and quoted. But the country will expect it to be a precedent that fits the case, without shuffling or equivocation, and meantime I hope the execution will not be hurried, but time given for the country and the Home Secretary to consider this fatal blot on the proceedings. Indeed, the matter ought to be noticed in Parliament, especially in the House of Commons.

I am, sir, your faithful servant,

CHARLES READE.

## THIRD LETTER.

October 3d, 1877.

SIR—Mr. Abbott says the author of “It is Never too Late to Mend” is soft-hearted. Not a bit of it. He is only harder-headed than certain Englishmen. He proved in the story cited above that the honest man who kills a thief in prison contrary to law is a greater criminal than the thief. That was logic; not compassion. Mr. Abbott now reminds us that pettifogging judges, looking too closely into indictments, have quashed them on trumpety grounds of law, in spite of evidence. That is notorious. But what is the inference? are the *judges* not to be allowed a copy of the indictment? He has proved *that*, or he has proved nothing; for no *jury* ever defeated justice with a quibble on the indictment. In spite of these occasional abuses, constitutional rights must not be tampered with. A judge is as much entitled to a copy of the indictment as even the jury are, who have to try the issues. What we have to do with is a new thing—the separate indictments of four persons, submitted to the judge, but not seen by the jury, though they asked for them, and the jury delivering a sort of lump verdict on unseen indictments, in which, perhaps, the Crown did not lump four very different

cases in one without any discriminating words whatever. Who knows? The indictments are still suppressed. Another of your correspondents draws me out by malicious misinterpretation. He puts violent and cruel words into my mouth, and is reckless enough, with my sober lines before him, to pretend that I compare Mr. Justice Hawkins to Judge Jeffries. Of course such unscrupulous people can compel a man to notice them. The learned judge has been my counsel, and I have profited by his abilities. I was never so unfortunate as to have him against me, in court. I hope I never shall. The jury asked by word of mouth for the indictment. He replied, without much reflection, by word of mouth. His reply was unfortunate, as many a hasty reply of my own has been, and, as its effect was to deprive the jury of their constitutional rights, I think it vitiates the proceedings. As to the merits of the case, is it fair of any man to tell the public what I think when I myself have been so careful not to rush hastily into that question? As it happens, I approve some things in the learned judge's summing-up in spite of the objection taken to those particulars by others. It is only in one part of the subject I do not at present agree with him. Even then, I desire to think well before I write, for no man feels more than I do the responsibility to God and man of every one who uses the vast power of a popular journal in a case of life and death.

Yours faithfully,

CHARLES READE.

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#### FOURTH LETTER.

October 10th, 1877.

SIR—When a woman of property is half-starved by people who are eating her bread, and her husband, with his paramour, lives but one mile distant, on the money of their injured benefactress, and the victim dies covered with vermin and

weighing about five stone, the wildfire of indignation will, I hope, always run through every vein of the country, and the judges share the just wrath of the gentry and of the millions who work so hard to feed their own helpless charges.

But great wrath, even when just, is still a fever of the mind, and cannot discriminate. While the heart is still hot with that fire which has been so truly called "a passing frenzy" (*ira brevis furor*), the culpable ones seem criminal, the criminal ones seem monsters, and "our great revenge has stomach for them all."

I, who write these lines, am but a man recovering fast from a fever in a nation which is recovering slowly but surely. I recover fast, because, from my youth, I have been trained in a great school to reason closely and discriminate keenly, and armed with Oxford steel against the tricks and sophistries of rhetoric, against the derangement of dates (which single artifice will turn true facts into lies), against those fatal traps, equivokes in language, and against all gaps in evidence, however small they may appear to the unwary. I grieve to say that I receive shoals of insulting letters, telling me I am a Whalleyite and a novelist, and so disqualified. This draws a few unwilling words from me to disarm prejudice. I declared against Orton in the *Daily News* before ever the Crown tried him. I then laid down the scientific principle which governs his case, the doctrine of multiplied coincidences; and, though I write novels at one time, I can write logic at another, and when I write a novel I give the public my lowest gifts, but I give them my highest when I write in a great journal upon life and death and justice. But the best thing the public, and those who govern it, can do, will be to go by things, not names, to sift my arguments as closely as I shall analyze the evidence and the hasty inferences in the greatest judicial error of modern times.

The verdict against the Stauntons and Rhodes is a hodge-podge, in which the legally criminal and the legally culpable

are confounded, and both sets of legal culprits are confounded with the moral culprits, who are clear of the case by the law of England and the rules of evidence that bind the Central Criminal Court.

Few observers of mankind will deny me this, which, indeed, reads like a truism:

Where A, B, and C confound four things, and D, on the same evidence, distinguishes them, it is a thousand to one that D is right, and A, B, and C are wrong.

The position becomes even stronger when we find that A, B, and C have been subject to several confusing influences. It may be worth while to point out the confusing processes that muddled the jury, of which processes some rise from the habitual malpractices of this particular court, and others from faults that have been imported into it for this single occasion.

#### PROCESSES OF CONFUSION.

1. The court, for its convenience, tried four dissimilar cases in the lump, and the four prisoners stood together at the bar.

2. Being near and dear to each other, and involved in one danger, they suffered and sympathized openly.

3. Twelve unguarded men looked on, and, deluded by the senses, which are always stronger than the judgment in untrained minds, said to themselves, "they are all in one boat." So they were—in one family boat, not one legal boat. But the family boat being in a legal dock, these good souls took it for a legal boat directly.

4. The four separate indictments, with their curious counts, would have tended to cure this. But here the malpractices of the court came in with another process of confusion.

By the law of England the arraignment of a prisoner consists of three parts: (*a*) He is called to the bar by his name; (*b*) the indictment is read to him, every syllable of it; (*c*) he is invited to plead to the indictment, and no other form of words, and he has a right to plead guilty to one count, and not guilty to another count: and, if he is legally culpable, but not

criminal, it is the wisest thing he can do.

This being done by the clerk of arraigns, the paper that clerk has read from becomes, from the universal practice of all our courts, the property of the jury so long as that trial lasts.

But the clerk of arraigns, by a modern malpractice, broke this just and necessary law, and the judge let him. So each prisoner was grossly robbed of his right to admit one count and deny another, and the jury were grossly robbed of a copy of the indictment, though the mere preliminary jury, whose responsibility is so much less, had one to study and find a true bill on; and though it is not merely the right but the duty of the jury, as laid down by Blackstone himself very clearly, to study the indictment very closely and to find "guilty" on one count, and "not guilty" on another, and to carry discrimination even further, for they can find guilty on one half of a divisible count and acquit upon the other.

5. Law, justice, and common sense having thus been defied by the Central Criminal Court, and the great written instrument of discrimination withheld from them contrary to law, they were manipulated and confused by a rhetorician on the Bench, who picked out the highest count and ignored the others, and with gentle hand extinguished their one faint gleam of incipient discrimination, and left no doubt to the jury in a case crammed with doubts; which was unprecedented.

The result corresponded with all these co-operating processes.

The judge laid down the law that whoever has by law, or takes upon himself, the charge of a helpless person and does not give her enough to live upon is guilty of murder by omission. He did not say whoever has one-fourth of the charge, for that is not the law.

#### THE CHARGE.

Under this ruling, on which I have something to say hereafter, the jury on the evidence contrived to see four persons, all of whom had either by law or their own act "*the charge*" of Harriet Staun-

ton, and all saw her pine to death and let her pine to death.

Now let all men, in whose minds the very landmarks of truth are not obliterated, look on that picture conjured up by a jury under several processes of confusion along with this picture which the evidence reveals to a discriminating eye.

Patrick Staunton, a committer of a crime, responsible for Harriet Staunton's life by a pecuniary contract with Louis. He docks her food, strikes her, terrifies and strikes his wife for interfering, etc. The evidence suggests that if the man had died in 1876, Harriet Staunton might be alive now. He comes under the judge's ruling. He had "*the charge*." This is the only committer of them all. Yet the jury can see nothing exceptional in his position. We now step down to a much lower grade of crime.

#### THE MERE OMITTERS.

At the head is Mrs. Patrick Staunton, a grown-up woman, experienced, and no fool. Her neglect of Harriet is *prima facie* barbarous; but it transpires that there was conjugal influence and coercion. The woman encountered blows in defense of the victim. The deterring effect of those blows, and her pregnancy, cannot be exactly estimated; nor is it necessary. The law, already disposed to assume conjugal influence, except in an indisputable case of murder, is amply satisfied with the admissions made on this head, and she is not a criminal, but a culpable offender. Two years' imprisonment. The next omitter is Clara Brown. She slept in the same room with the victim; allowed the vermin to accumulate; saw her sufferings more than Mrs. P. Staunton: filled her own belly and let her perish; nor did she show any positive goodness of heart, as the elder woman did once or twice. I mean she never faced a blow nor got an angry word, and she never told a soul till the Crown solicitor inspired her with higher sentiments. On the other hand, she was young, inexperienced, and stupid; and, though she saw most of the victim, never anticipated her death, which blindness in her rouses a suspicion that the

whole set were much greater fools and smaller villains than they look. We now take a step in law which is as wide as the step down from the one committer to the four omitters. We go out of the house. We don't even go next door, but to another house a mile distant, where two self-indulgent adulterers were hiding themselves from Harriet Staunton and absorbed in adultery, which was made smooth by Patrick's control of the injured wife. I never knew how low the human understanding could sink till I saw a jury who could confound this situation with that of Mrs. Patrick Staunton and Clara Brown, two people living in the house where Harriet Staunton pined on the first floor. That first floor Louis Staunton and Alice Rhodes avoided from self-indulgent motives, that are out of the case. Of these two persons, the law never had any hold on Rhodes. A mistress living in one house is not bound to provide food for a wife living in another. Rhodes is out of the case. Louis Staunton, until some day in August, 1876, was deep in the case. But the judge, in order to make hostile comments on his niggardliness, let in as evidence that he made a contract with Patrick Staunton of this kind—Patrick was to receive Harriet in his own house, and receive twenty shillings per week. Louis was a mean scoundrel to offer so small a sum, but a rustic laborer and eight children live on less. It crushes the charge of murder as completely as twenty pounds a week would. It is a contract in which both contracting parties contemplated, not the death, but the indefinite life of Harriet Staunton. Its very niggardliness proves that on behalf of Louis Staunton. A man can transfer his legal responsibility. It is done daily. The legal responsibility of Louis Staunton passed by that pecuniary contract to Patrick as much as did the responsibility of that mother, who handed her child for five shillings a week to a baby-farmer, which baby-farmer neglected the child till it died a bag of bones, and was tried by Sir James Hawkins two days after the Stauntons. (See *The Daily Telegraph*, Oct. 1.) The attempts made

to drag Rhodes into the case at all, and to drag Louis baek into it after admission of that contract, are pure sophistry and equivocation, as I shall show in the proper place. Meantime here is the true picture.

1. Committer and criminal.

2. Culpable omitters; one condemned to die, one walking about London.

3 and 4. Two vile moral omitters clear of the crime, but relieved by the lawyers of all their ill-gotten money, defended with admirable speeches, but worse defended on the evidence than they could have defended themselves, and condemned to die.

The blunder has been brought about partly by the recent malpractices, and the inherent defects, of the Central Criminal Court, whose system is so faulty that it never gets below the surface of a case, and is the worst instrument for the discovery of truth in Europe; and partly from special vices and errors, that found their way into the case, and surprise the whole legal profession, so opposed are they to precedent, and to the best traditions, and most sober habits, of the court. These it will be my next duty to analyze closely, but I think I can hit upon a briefer method than I have been able to pursue in this letter.

Your faithfully,

CHARLES READE.

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### FIFTH LETTER.

October 12th, 1877.

SIR—Were I, who denounce an indiscriminating verdict upon four immoral egotists, to indorse the indiscriminating censure leveled at the judge who tried the case, I should exceed the error I condemn, for I should be morally unjust to the good, he has only been legally unjust to a portion of the bad.

I declare, then, that he had no power to prevent one of the omitters from giving evidence against the others, whose

mouths were closed by an iniquity of the law which is itself doomed to death; nor had he any right to disparage her whole evidence, but only to reject one part and sift the rest with keen suspicion; and, when he directed the jury to prefer the opinion of doctors who had seen the body, to that of doctors who had not, and bade the jury observe the ugly circumstance that Harman, the doctor who had watched the post-mortem examination on behalf of the defendants, was not called for the defense, he did his duty to the jury, guided by innumerable precedents, which not only justified, but bound him. He did not make the rules of evidence: he found the rules of evidence, and very wise they are. In a word, I will not willfully object to anything but what defies precedent, and the habits of our other judges, and every one of their predecessors, whose name their country honors.

1. The judge laid down the law thus, as affecting the only count of a suppressed indictment which he permitted the jury to try; "every person who is under a legal duty, whether such duty be imposed by the law, or imposed by contract, or by the act of taking charge, wrongfully, or otherwise, of another person, to provide the necessaries of life, every such person is criminally responsible for the culpable neglect of that duty. And if the person so neglected, is, from age, insanity, health, or any other cause, unable to take care of himself, and by reason of that neglect, death ensues, the crime is murder."

Now this is the law if you don't stretch it, and try to catch more fish than the law allows. It is the law as it lies in the Text-Books, and is there applied to a *single person, having the sole legal charge.*

But as regards these four offenders it is too broad and loose, and is not the law of England as appears in the cases to which those very text-books refer, and in fifty other cases, well known, though not reported by lawyers, but only word for word by the newspapers. These are shunned by the lawyers; they are in-

valuable; but then they are not published and sold by that sacred clique.

However, the cases of criminal omission, though pitiably reduced in number by that childish prejudice, are, I think, fatal to this new theory of criminal responsibility in the highest degree attaching to persons who have not the sole charge in law of the murdered person.

What will my readers think, and what will the Home Secretary think, when I tell him that to find in the books a verdict of murder by omission I must go back to *ninety-seven years*—to a time when jurymen were so used to shed blood like water by statute law that they naturally applied even the common law with a severity that is now out of date.

I, who with these eyes have seen a boy of eighteen hanged for stealing a horse, though the jury could have saved him, and the judge could have saved him, with a word, am not disposed to rate beyond its value the case of "*Rex v. Squires*," on which Sir J. Hawkins, I think, relies, still less to stretch it *ad infinitum*, where the jury that hanged him restricted it so closely.

In 1790 the Crown indicted Squires and his wife for murder. They had starved a young apprentice, and beaten him cruelly. The wife, as to the beating, could not by law prove conjugal influence, for she had beaten the boy in her husband's absence, which bars that plea. The post-mortem, however, revealed starvation, and not the boy's wounds, to be the cause of death. The jury found Squires guilty of murder; but they held that Mrs. Squires had not in this, as she had in the blows, acted independently of her husband. She had not intercepted any food her husband had given her for the boy.

If this case is to be acted on in our day, at least we should not garble, and take the sanguinary half. The jury acquitted Mrs. Squires, a far worse woman than Mrs. P. Staunton, and they acquitted her logically. In a case of omission they could not convict the husband capitally but by loading him with the whole charge, and the whole criminality of a joint act. Does this case, looked into

and understood, support the new theory of criminal responsibility, infinitely divisible, without diminution of guilt.

A leading case of our own day, and therefore a better guide for us, is "*The Queen v. Bubb and Hook*." Elizabeth Bubb was a widow with two children, and sister to Richard Hook's wife, deceased. Hook invited her into his house, and gave her money to keep the family. She fed and clothed her own family, and half starved the poor dead sister's. She carried her cruelty so far that the neighbors remonstrated often, but Hook looked calmly on, and did not mind. By steady degrees this fiendish woman murdered Hook's youngest child by starvation and cold. She was indicted for murder. The jury did not conceal their horror, but they used their right, and reduced the crime to manslaughter; but, as that verdict opens the door to lenient sentences, they guarded the judge in a way that shows how wise twelve plain men can be when each of them thinks for himself. They brought it in "*aggravated manslaughter*." Hook was tried for manslaughter at the same assize. As he had supplied Bubb with means, there was nothing against him but his apathy and neglect of his pining child, and his turning a deaf ear to remonstrances. It was left to the jury to decide whether this was culpable neglect, or stupid neglect in a father—not an outsider, like Rhodes. They decided for stupid neglect, and acquitted Hook. Here is the same principle. They were resolved to put the saddle on the right horse, and not upon two horses. Will my readers pause, and compare the guilt of the heartless, relentless fiend Bubb—sole instigator, sole executor of a deadly deed, in spite of remonstrances—with the case of Mrs. Patrick Staunton, a wife, and under influence, who in her moments of conscience resisted the cruelty, and was overpowered.

If you divide an apple into four pieces, you have four pieces, but not four apples. If, in a case of omission, you could really divide the legal charge, and the highest criminal responsibility, the effect would



not be what Sir J. Hawkins told the jury the effect would be—to subdivide and fritter away the criminal responsibility till it should escape the lash of the law, and meet no punishment but public reprobation.

Example—two Welsh parents had an imbecile girl, who professed sanctity and fasting, and the old people made their money out of her. Incredulous doctors demanded a test. Parents consented. Doctors watched night and day, and went at the first plunge much deeper than the Stauntons; for they stopped all supplies dead short. They killed her quick among them. The doctors sat round her bed and saw the lamp of life burn out in eight days. Vulgar curiosity does not excuse deliberate murder. See now if by any quibbling or evasion the conduct of the parents can be taken out of murder—as the law was laid down for the Stauntons, see above—or the doctors cleared of manslaughter. Clean stoppage of food is the short cut to murder, with the goal in sight all the way.

Insufficient supply of food is an uncertain road to manslaughter. The victim may get used to it. Luigi Cornaro achieved a vast longevity by no other means than insufficient nutriment arrived at by degrees. If divided responsibility leaves seven people equally responsible, why were not those parents and doctors all hanged?

## 2. "IMPOSED BY LAW, OR IMPOSED BY CONTRACT."

True. But throughout this case he withheld from the jury that when the law and lawful contract are opposed, contract prevails. In order to submit to the jury some just comments on the niggardly wretch, Louis Staunton, and the 20s. he agreed to pay Patrick to house and board his wife, he let in the paltry contract as evidence; yet he withheld from the jury the immediate legal effect of the contract. This was to give Patrick the sole charge of the wife, and the sole criminal responsibility of the highest degree.

The legal responsibility passed clean

out of Louis by passing into Patrick. Had Louis failed to pay weekly, Patrick could have sued him.

Whether a responsibility originally so sacred as a husband's could not be revived partially, and in a lower form, by Louis constantly visiting his wife and actually seeing her pine away, and whether this would not make him guilty of manslaughter is another matter, and one I shall deal with under another head; but I complain that the judge withheld his legal knowledge from the jury whenever it could serve a prisoner, of which this is one example.

3. Another is his dead silence as to Mrs. P. Staunton's legal position as a wife, and the influence of her husband upon her as well as on Rhodes—an influence the law is not unwilling to assume, though of course it can be rebutted, as when Mrs. Manning was proved to be the instigator of a joint crime. But here the husband had by contract the sole legal charge, like Squires in 1790.

4. Illegal and improper evidence was admitted, such as no prisoner with his mouth closed has ever been assassinated by in my time. Clara Brown was allowed to depose to the existence of a letter written by Louis Staunton to Alice Rhodes in August, 1876. That was allowable, for Rhodes admitted having received and lost a letter. But now comes the legal wrong. She was allowed to own herself a thief as regarded that particular letter, and also what the old judges called "a spoliator of evidence."

As regarded that one letter, I mean she was allowed to depose that she had burned it willfully, and with her own hand, and yet she was permitted to take advantage of her own suppression of the real letter, to give by memory or imagination just so many words as the Crown solicitor, who got up the case, thought might suffice to hang Louis Staunton by an equivocation pointing to murder, and an admission of long criminal intimacy, to prove adultery before as well as after marriage. "Spoliation of evidence" does not figure much in the text-books. You must go wide and deep to find the hundreds of

cases that lie behind all the older maxims of law. "Assume everything to the discredit of a spoliator of evidence" is the maxim, and the person who destroys any written document divining its importance is certainly a spoliator of evidence. But if the good, though almost obsolete, phrase be objected to, I will resign it, and stick to the substance. Why, even at Nisi Prius, if a witness, to decide a case, swore he received a letter from a party, who could not be put in the box, and proved that he really had received a letter from that person of some kind or other, would he be allowed to say "I burned the letter, seeing its importance: the writer *cannot be called to contradict me, so I remember enough of the contents to win this verdict, £50,000, for the party who puts me in the box*"—would not the judge hesitate to let the jury's mind be prejudiced by hearing this witness's garbled quotations? If another hand had burned it, well and good; but surely not when he had burned it himself, and so put the court entirely at the mercy of partial quotation and misquotation. I am of opinion, subject to the decision of the judges—and it is quite time they sat to review criminal cases—that this sham reproduction of a selected and garbled part of a written letter the witness had willfully destroyed was legally inadmissible against two prisoners whose mouths were sealed.

I shall show in my next that this violation, not of some pedantic rule of evidence, but of its very fundamental principles, lets a whole vein of romantic error into the case, and shall expose generally the false system by which the order of the facts was dislocated and the facts falsified.

Yours faithfully,

CHARLES READE.

I beg to acknowledge with thanks some insulting letters from people who don't sign their names, and some encouraging ones from ladies and gentlemen who do.

## SIXTH LETTER.

October 13th, 1877.

SIR—In reply to reasonable comments let me say I have not put forward that branch of law which concerns the aiding and abetting any kind of murder, whether by commission or omission, because the judge did not lay that down to the jury, and he was bound to do so if that was the law he relied on.

He never treated Louis Staunton as an "accessory before the fact," which under this head of law was the only cap that could be made to fit him. He never told the jury what precise evidence the law demands against a man who has made a niggardly contract contemplating, by its very niggardliness, the indefinite life of the victim, ere a jury is to pronounce that he did "procure, counsel, command and abet" the murder of that person.

Of course no lawyer will pretend that a man living out of the house of murder can be accessory *at* the fact, or what the text-books call "a principal in the first degree;" nor will any lawyer deny that if he lives out of the house, but procures, counsels, commands, or abets the murder, *beyond doubt*, he can be an accessory *before* the fact, or a principal in the second degree. But there must be high evidence, and direct evidence, and if spoken or written words are relied on they must be addressed to the very person who does the murder, and must be unequivocal. A doubtful phrase addressed to Rhodes, who took no part in the murder, is not at all the kind of evidence required by all the books and all the cases. See the word "accessory" in any text-book or report whatever.

### THE FACTS.

In our Criminal Court, where the prisoners, the only people who really know the ins and outs of the case, are not allowed to open their lips, and correct any of the shallow guess work that is going on about them in their astonished ears, one great abuse like that I denounced in my last letter is sure to let in many more. Clara Brown, the one

witness on whom the case for the Crown really depends, was allowed by the judge to swear she had destroyed a letter, and yet to cite so much of it, correctly or incorrectly, as fitted the two horns of the prosecution. That abuse led at once to another. This model witness was allowed another privilege the rules of evidence do not grant—viz., to argue the case. For this the defendants are indebted to their counsel.

He asked whether she understood the sentence about Harriet being "out of the way" to refer to her death. To this question she replied "Yes."

French counsel surprised by a prosecution would immediately have had a personal conference with the prisoners, and would have asked the girl questions that would have greatly benefited the prisoners. The jury, hearing a witness swear to an interpretation of a doubtful phrase, were not aware this was not evidence, and ought severely to be rejected from their minds. So one abuse led to another, and it is not too much to say that this imaginary letter with the witness's black-hearted interpretation is the rope that is to hang Louis Staunton.

Well, such a rope of sand has never hanged an Englishman in my day. It is pitiable to see how little, if anything, that can even by courtesy be called mental power, was brought to bear by twelve men of the world on this quotation of a letter without its contents, one of the stalest frauds in the world and also in literature of every kind, especially controversial theology.

Permit me to test this imaginary extract from what was proved, I think, to be a real letter, by one or two sure methods of which I am not the inventor.

Have those twelve gentlemen counted the number of words a young servant girl swore she had remembered in their exact order for nine months or more, though she had burned the letter, and the subject had never been recalled to her mind till she fell into the hands of the prosecution?

The words are sixty-two in number :

"MY OWN DARLING—I was very sorry to see you cry when I left you. It seems as though it never must be, but there will be a time when Harriet will be out of the way, and we shall be happy together. Dear Alice, you must know how I love you by this time. We have been together two years now."

Now, sir, even if those fatal words about a time when Harriet will be out of the way were ever written without some explanatory context, I think the jury ought to have been throughout solemnly warned and guarded against the illogical interpretation of them. The just rule of interpretation is that you should always prefer a literal to a vague or metaphorical interpretation. The words "out of the way" mean out of the way; they don't mean dead. A man can say "dead," and if Rhodes was projecting murder with him, why should he not have said so?

The next rule is, that you prefer the interpretation which the writer himself confesses by his own act, and the next is, that you prefer the interpretation that is first fulfilled in order of time. Now, it was Louis, the writer of the words, who took a farm soon after, settled Harriet with Patrick, and so got her out of the way, and lived in smooth adultery with Rhodes, whereas it was other people who killed Harriet Staunton, and nine months afterward. But I shall now show the extract as sworn to was never written.

1st objection.—It is too long, and too short, which two traits can never meet in a genuine extract.

A. Too long for a servant girl to remember, word for word, nine months after hearing it.

B. Too short. Louis Staunton was not preparing his own prosecution. It was not on the cards of mere accident that he should furnish in sixty-two words *two equivocal* expressions—one establishing a long adulterous intercourse of which there is no corroborative proof, but the reverse, and another quibble projecting

distant murder, of which there is no corroborative proof, since Harriet was well used for months after.

2. The line reminding her she had been his mistress for two years is worded by a woman, and not by Staunton or any man. Decent women like Clara Brown have a delicate vocabulary unknown to men. "We have been together," which means everything the prosecution wanted, but says nothing at all, is a woman's word for criminal connection.

3. The statement itself is not true, and from that you must argue backward against the genuineness of the quotation, since he would not say this to a girl who knew better.\*

4. The witness could remember nothing but her lesson: sixty-two consecutive words, all neat and telling, and meeting the two great views of the prosecution; but, that done, a blank—a total blank; not six consecutive words. This is barefaced. Daniel Defoe would have managed better. He would have armed the witness with ten consecutive words on some matter quite foreign to the objects of the prosecution. The quotation is fabricated.

The process has nothing exceptional in it, nor is there any one to blame, except the court, for letting in parole evidence about a written document destroyed by the witness herself.

Allow 10,000 such witnesses, and, if the case is ably prepared, you must, in the very nature of things, have 10,000 inaccurate quotations, all leaning toward the side that calls the witness.

The people who get up a prosecution have but one way of dealing with such a witness. She comes to them remembering a word here or there. She is advised to speak the truth and take time. But, as the conference proceeds, she is asked whether she happens to remember anything of such a kind? She is very ductile, and forces her memory a bit in the direction she instinctively sees is desired.

\* Since this letter was written, it has been proved to be a falsehood. The criminal connection was hardly one year old.

The very person who is examining her with an *ex parte* view does not see that she is so wax-like as she is.

Add a small grain of self-deception on both sides, and a mixture of truth and falsehood comes into the unwary and most inconsistent court, which stops Louis Staunton's mouth, yet lets in a worse kind of evidence than the prisoner's own, viz., this horrible hodge-podge of memory, imagination and prompting, which, in *the very nature of things, and by the mere infirmity of the human mind, must be a lie.*

That a man should die only because he is tried in England. Bring your minds to bear on this, my countrymen. If an ignorant man, like this Staunton, is defendant in a suit for fifty-one pounds, he can go into the witness box and explain all the errors of the plaintiff, if any; but if he is tried for his life, which is dearer to every man than all the money in the world, he is not allowed to say one word to the jury, if he has counsel. Now, in France he may speak after his counsel have done muddling his case, but here with heartless mockery, when Ignorance all round has hanged him, he is allowed to speak—To whom? To the judge. On what? The nice quibbles of the law, but not on facts or motives—that being the one thing he can never do, and this being the thing he could generally do, and flood the groping court with light, especially as to his true motives and the extenuating circumstances of his case. By this system the blood-thirsty murderer, who chooses his time, and slays swiftly in the dark, gains an advantage he cannot have in the wiser courts of Europe. But God help the malefactor who is not an habitual criminal, or one of the deepest dye, but a mixed sinner, who has glided from folly into sin, and from sin into his first crime, and who has been fool as well as villain. His mouth is closed, and all the extenuating circumstances that mouth could always reveal are hidden with it, or, as in this case, grossly and foully perverted into aggravating circumstances.

This is very unfair. The Nation will see it some day. At present what is to

be done? After all, thank God, it is a free country, and one in which bad law is sometimes corrected by just men.

To all such I appeal against the rope of sand I have had to untwist in this letter.

The Post has enabled me to do something more: to resist foul play and garbled quotations and those most dangerous of all lies, equivoques in language, such as "Harriet out of the way," the very kind of lies Holy Writ ascribes to Satan, and the great poets of every age have described as hellish, which they are.

I resolved to give Louis Staunton, what that den of iniquity and imbecility, the Central Criminal Court, did not give him, one little chance of untwisting that rope of sand, although he has the misfortune not to be a Frenchman. I conveyed a short letter to Mr. Louis Staunton through the proper authorities, requesting him to try and remember the entire matter of a certain letter he had unquestionably written to Alice Rhodes in August, 1876, and to send it to me verbatim. Some delay took place while my letter was submitted to authorities outside the jail, but Fair Play prevailed, and I now append the letter to my own, which is of less value. I send it all the same, because I have looked narrowly into that of Staunton's, and I don't see any of that self-evident mendacity I have felt it my duty to point out in the garbled quotation the rope of sand. This letter, at all events, *may* be true. For here I see youth, with its selfish vices, not looking months and months ahead, either for good or bad, but getting Harriet out of the way without a metaphor, to enjoy the sweet vice his self-indulgent soul was filled with, and not with long cold-blooded schemes of murder such as belong to more hardened natures than this, who, we learn from the Crown itself, and on oath, sat down and cried because his wife upset the house. The following is

#### LOUIS STAUNTON'S LETTER.

MAIDSTONE JAIL, *October 11th, 1877.*

SIR—I duly received your letter of the 9th inst., and now beg to reply to it. The

letter in question I wrote to Alice Rhodes on or about August 17, 1876. The facts are these: I had several times promised to take Alice Rhodes down to Brighton for a week, but had been prevented from doing so. But on Saturday, August 14, Mrs. Staunton, Alice Rhodes, and myself, went down to Cudham, for the purpose of leaving Mrs. Staunton there, that we might go to Brighton on the Tuesday; but on the Monday I received a telegram to say my father was worse. My brother and myself immediately came up to London, leaving Alice Rhodes and Mrs. Staunton at Cudham. I then wrote her this letter:

"MY OWN DARLING—I know you will be sorry to hear that my poor dear father passed away yesterday. This is a sad blow to me, but we all have our troubles. Our trip must now be put off again. It seems as if it is not to be; but I will arrange another time to get Harriet out of the way; so you must not be disappointed. I shall have to remain down home for a few days, so Harriet had better stop down with you."

I believe I have now given you word for word what I said in this letter. I have thought well over it, and cannot remember saying anything more. What I meant by "It seems as if it is not to be," was our going to Brighton, and of getting "Harriet out of the way," that she might not know anything about it.

This is the whole truth of the letter.

I am, sir,

Yours obediently,

LOUIS STAUNTON.

CHARLES READE, ESQ.

The Public is to understand that I deal fairly with the Powerful Journal which has done me the honor to allow me to express boldly my unalterable convictions. I do not write letters and say "Thus said Staunton;" I tender you his handwriting, begging you to do me the honor to keep it, and show it to few or many as you think proper. I do not lead witnesses as I think Clara Brown was led—unconsciously, no doubt. My short letter, to

which this is a reply, lies in Maidstone Jail. I can't remember what I write, like this young sinner, nor imagine what other people write—like Miss Brown *plus* an attorney's clerk. But I am sure it is a short line, just asking the man to send the truth. He looks on himself as a dying man; has no hope of saving himself; and I think he has come pretty near the truth in his letter.

Yours faithfully,

CHARLES READE.

P.S.—Now that I have opened the dumb creature's mouth, which that beastly court, the disgrace of Europe, had closed, who doubts the real meaning of the letter, and that the writer had Adultery in view, and had not Homicide?

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## THE LEGAL VOCABULARY.

TO THE EDITOR OF THE "PALL MALL GAZETTE."

SIR—Now those swift-footed hares, my eloquent contemporaries, have galloped over Diblane's trial, may I ask you, in the name of humanity, to let the tortoise crawl over it with his microscopic eye? Where female culprits are to be judged, a patient drudge, who has studied that sex profoundly in various walks of life, including Diblane's, is sometimes a surer exponent of facts than is a learned lawyer. I will keep strictly within the limits of the legal defense. The Crown used Diblane as its witness to the killing, and this, by a rule of law which is inexorable, and governs alike a suit or an indictment, let in the prisoner's explanations *as evidence*. But there are degrees of evidence: what she said against herself was first-class evidence; what she said favorable to herself was low evidence, to be received when it is contradicted neither by a living witness nor a clear fact. I keep within this circle, traced by the judge himself, simply premising that I have

seen many a prisoner acquitted on his own explanation of motives, thus made admissible, though poor evidence, by the prosecutor.

Now did the criminal seek the victim, or the victim her? Where was the crime committed? In the kitchen. And what is the kitchen? It is a poor man's cottage on the ground-floor of a gentleman's house. No paper—no carpet—stone floor—it is made like a servant's home out of contempt: but the result of that contempt is, that the female domestic feels at home in it, soul and body. It is the servant's house, and the cook's castle and workshop. To come and insult her there galls her worse than in the gentlefolk's part. What a lady feels if a cook walks up into the drawing-room to affront her, that the cook feels if the mistress comes down into her castle to affront her. But a kitchen is something else—it is an arsenal of deadly weapons, with every one of which the cook is familiar. The principal are—a hatchet to chop wood, a rolling-pin, a steel to sharpen knives, a cleaver, an enormous poker, a bread knife, carving knife, etc. Into this cook's castle and arsenal of lethal weapons comes Diblane's mistress on a Sunday forenoon, when even a cook is entitled to a little bit of peace and some little reduction of her labor, if possible, and gives an inconsiderate order. The cook says there's no need for that; dinner is not till seven. This offends the mistress, and she threatens to discharge her on the spot. The cook says she will go directly if her month's wages are paid her. "No," says the mistress, "I will keep you your time; but I will make you suffer." Here there is a lacuna: but the climax was that the mistress called this poor hard-working woman, in her castle and workshop, a prostitute, and dwelt upon the epithet. Then the cook, goaded to fury, took, not one of the murderous weapons close at hand, but sprang at her mistress's throat, and gripped it with such fury that she broke the poor creature's jaw and throttled her on the spot, and probably killed her on the spot, whatever she may have said to the contrary. The deed done,

the criminal is all amazement, vacillation, and uncertainty in word and deed. Her deeds: She carries the body wildly here and there; she puts a rope round its neck in a mad attempt to pass the act off for suicide; she resolves on flight; she has not the means; she casts her eyes round, and sees the safe with money in it; she breaks it open, and takes enough for her purpose; she does not pillage; she steals the means of flight; she robs in self-defense. Her words: "I leave for Paris this evening." Then a horror falls on her like a thunderclap. "No, I shall never see Paris again, not even my parents." Is there nothing human in this sudden cry of a poor savage awaking to her crime? "I shall try to leave for America." So, then, she goes out intending to sail to America, and goes just where she did not mean to go—to Paris. She gets there, and instantly pays a just debt with the money she no longer needed to save her life. In other words, she is no more a real thief than a real murderer, as the common-sense of mankind understands the words. With the light thus reflected by her subsequent conduct, all vacillation and inability to carry out a design, I return to the homicide and its true interpretation.

Fact goes by precedent as well as law, and, strange to say, lawyers, those slaves of precedent, often forget this. Now, what does experience or precedent teach us with regard to the murder of adults by adults? Is the open hand the weapon murder selects? It is the weapon cold-blooded robbery has often selected to *avoid murder*. But is it the weapon murder has often selected? Certainly not. But Diblanc's defense rests on far stronger ground. The point of her defense is this: *She stood in an arsenal of deadly weapons, and yet avoided them, and used the non-lethal weapon—her bare hands—being maddened to fury and burning for revenge, but not positively intending to murder either before the attack or at the moment of the attack.* These facts, minutely examined, tear the theory of "premeditation" up by the roots; but you cannot tear that theory

up by the roots without displacing the theory of "intention," and letting in the defendant's evidence that she did not intend to kill Madame Riel. And this brings me naturally to the nature and extent of the provocation that stung her to fury.

Mr. Baron Channell says that no mere words can by provocation reduce willful killing to manslaughter. Granted; but I think this applies only to killing with lethal weapons. Where two things combine—where A receives a foul provocation in language from B, and avoiding the lethal weapons close to his hand, kills B with the bare hand, I think the jury have a right to call that manslaughter if they please. A calls B a liar; B knives him. Murder. B calls C a liar; C fells him with a blow, and kills him. Manslaughter. Oh, but throttling is worse than striking. Ay, worse in a man, but not in a woman, because women do not fight with the fist; they *always* go at each other with the claws, and no murder done one time in a thousand. If we are to judge women we really must not begin by being pig-headed idiots, and confounding them entirely, mind and limbs, with men. The truth is, language contains no word with which a man can strike a man to the heart, in his own person, as a woman can strike a woman with a word. It is at once stupid and cruel the way in which this poor creature's provocation has been slurred over. The evidence is all in favor of her continence. When out of place in Paris she fell in debt directly; a plain proof labor was her only way of getting bread. Here in London it comes out that her wages were everything to her. She wanted to go, but could not for want of a little money. Why, her very strength, about which so much twaddle was been uttered, was not the strength of the individual, it was only the strength that comes to women of her age by an honorable, laborious, and continent life. And is it a small thing that to such a woman, working in her kitchen for her bread, another woman, whose life was not laborious and honorable like hers, should come and say, You are a prostitute. "Facile, judicat qui pauca considerat."

We must consider not the insult only, but the quarter whence it came; and we shall find the utmost limits of verbal provocation have been reached in Diblanc's case. The time—Sunday morning, when the world gets peace, and even cooks hope for it. The place—her own kitchen. The insult—the most intolerable the mind can conceive; and *a lie*. The result—honest labor and continence used none of the lethal weapons at hand, but took luxury and foul-mouthed slander by the throat. Luxury's arm was pithless against insulted labor and continence, and a crime was consummated, when between two working women there would only have been a fight.

It is the misfortune of women that few men, except one or two writers of fiction, can put themselves in a woman's place, and so qualify themselves to judge her in these obscure cases. But let me put a man, as nearly as I can, in this woman's place. A man is with his wife, whom he loves as dearly as Diblanc loves herself. Another man comes and calls that woman a prostitute to her face and his; there's a hatchet on one side of the husband, a carving knife on the other. The husband takes neither, but seizes the slanderer by the throat and squeezes the life out of him. Would that man be indicted for murder? I doubt it. Would Baron Channell ask a conviction for murder? I doubt it. If he did, no jury in England would convict. Yet here the provocation is purely verbal, and the killing identical with Diblanc's.

Let me now, without blaming any living person, draw the attention of public men to the stereotyped trickery and equivocation by means of which the death of Marguerite Diblanc has been compassed—in theory; for she is not to die, I conclude. Some lawyer, in the name of a humane sovereign, draws a bloodthirsty, exaggerated indictment, and says Diblanc slew Madame Riel willfully and with malice aforethought. The evidence contradicts the malice and the aforethought, which are the very sting of the indictment, and the jury demur. "Oh, let that flea stick in the wall," says the

judge, "we don't go by Johnson's Dictionary here: 'aforethought,' that means 'contemporaneous' in our vocabulary, and 'malice' means rage, passion, anything you like—*except malice, of course*. All you have got to do is to disregard the terms of the indictment, and if she killed the woman at all say she killed her with malice aforethought." The jury, who are generally novices and easily overcome by the picture of a gentleman thatched with horsehair, assent with reluctance, and recommend the prisoner to mercy, thereby giving their verdict the lie: for if the indictment was not an impudent falsehood and their verdict another she would be a most unfit subject for mercy. This bastard verdict which says "Yes" with a trumpet and "No" with a penny whistle being obtained by persuasion, the judge goes coolly back to Dr. Johnson, whom he has disowned for a time in order to get a verdict, and condemns the woman to death for having killed her fellow-creature with malice aforethought, as Johnson understands the words. But, as he too knows it is all humbug, and a verbal swindle invented by dead foels and forced upon him, he takes measures to refer it to a layman called the Home Secretary, who is to find straightforwardness, sense, manhood, and, above all, English for the whole lot.

Now, sir, I agree with the writer of your able article of the 15th of June, that the way out of this is to enlarge, purify, and correct the legal vocabulary. The judges are in a hole. With two words—"manslaughter" and "murder"—they are expected to do the work of three or four words; and how can they? It is impossible. Enlarge this vocabulary, and the most salutary consequences will flow in. Sweep away "manslaughter," which is an idiotic word meaning more than murder in etymology, and less in law, and divide unlawful killing into three heads—homicide, willful homicide, murder. Then let it be enacted that henceforward it shall be lawful for juries to understand all words used in indictments, declarations, pleadings, etc., in



their plain and grammatical sense, and to defy all other interpretations whatever. Twelve copies of every indictment ought to be in the jury box, and every syllable of those indictments proved whether bearing on fact or motive, or else the prisoner acquitted. Neither the Crown nor the private suitor should be allowed to exaggerate without smarting for it in the verdict, just as in the world overloaded invective recoils upon the shooter.

I am, sir,

Yours faithfully,

CHARLES READE.

MAGDALEN COLLEGE, OXFORD,

June 17th, 1872.

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## COLONEL BAKER'S SENTENCE.

TO THE EDITOR OF THE "DAILY TELEGRAPH."

SIR—A great many journals and weeklies have told the public that an English judge has passed too lenient a sentence on Colonel Baker because he belongs to the upper classes. Some have added that the same judge had inflicted a severe sentence on certain gas stokers, and so we have a partial judge upon the Bench. This is a grave conclusion, and, if true, would be deplorable. You would yourself regret it, and therefore will, I am sure, permit me to show you, by hard facts, that all this is not only untrue, but the exact opposite of the truth in every particular. Fact 1. The proceedings against Baker commenced with an application for delay and a special jury. Here was an opportunity to favor him. The judge rejected the application, and he was tried by a common jury. 2. On the trial the prosecuting counsel attacked him with a severity that is now unusual, and used a false comparison to lead the jury further than the evidence warranted. 3. In contrast to this, Baker was defended with strict moderation. In France the accused speaks as well as his counsel, but in

England his own mouth is closed, and we must assume instructions and give him the credit or discredit due to his line of defense. Now, there was a point in the plaintiff's evidence which to my mind is womanly and charming, but still, before a common jury, Mr. Hawkins could have done almost what he liked with it. It appeared that when the young lady was on the doorstep she told her assailant he must hold her or she would fall. They little know the power of counsel who doubt that, by a series of sly ironical questions on this point, the case could have been weakened by ridicule, and the plaintiff tortured. Since the lower orders have been dragged into this, it should be considered that every one of them would have so defended himself, except those who had got rid of the case before by shoving the girl off the step instead of holding her. "That is the sort of men *they* are." My brilliant contemporaries know nothing about them. How should they, being in an exalted sphere? 4. The common jury cleared him of a criminal assault, and found him guilty of an indecent assault. My brilliant contemporaries hanker after the higher issue, and would like to see it in the judgment, though it was not in the verdict. But that would be to juggle with the constitutional tribunal, and be inexcusable in a judge. 5. Mr. Justice Brett dwelt on the enormity of the offense, and admitted only one palliating circumstance—viz., that the culprit, when he found the lady would risk her life sooner than be insulted, came to his senses, and showed a tardy compunction. This was so; and Colonel Baker's line of defense before the magistrates and before the court entitled him to this small palliation. 6. Witnesses were called to character, with a view to mitigating punishment. Now, when a culprit of the lower orders can do this effectually, it always reduces punishment—sometimes one-half, or more. Were it to go for nothing where a gentleman has committed his first public crime, there would be gross partiality in favor of the lower orders, and an utter defiance of precedent. 7. The punishment

inflicted was a fine, £500, and a year's imprisonment as a first-class misdemeanant. My brilliant contemporaries think that a poor man would have been much worse punished. Now let us understand one another. Do they mean a poor man who had so assaulted a lady, or a poor man who had so assaulted a poor woman? Their language only fits the latter view. Very well, then. My brilliant contemporaries have eaten the insane root that takes the reason prisoner. Every day in the year men of the lower orders commit two thousand such assaults upon women of the lower orders, and it is so little thought of that the culprits are rarely brought to justice at all. When they are, it is a police magistrate, and not a jury, the women apply to. It is dealt with on the spot by a small fine or a very short imprisonment. Colonel Baker, had he been a navy, would have got one month. My brilliant contemporaries go to their imagination for their facts. I, poor drudge, go to one out of twenty folio notebooks in which I have entered, alphabetically, the curious facts of the day for many a year. The fines for indecent assaults range from five pounds to twenty. Among the examples is one that goes far beyond Baker's case, for the culprit had recourse to chloroform. I call this a criminal assault. The magistrate, however, had a doubt, and admitted the culprit to bail. At the expiration of the bail the Lucretia in humble life walked into the court on Tarquin's arm, and begged to withdraw the plaint. She had married him in that brief interval. And that, oh, too imaginative contemporaries, "is the sort of *women they are*." The magistrate scolded them both, and said it was collusion to defeat the law. He lacked humor, poor man. When a lady or a gentleman is one of the parties, that immediately elevates the offense. I have a case in my list that resembles Baker's in some respects. It was a railway case—the offender a gentleman, the plaintiff a respectable milliner. This was dealt with at quarter sessions; fine £200, no imprisonment. In Craft's case

the parties were reversed. Craft, a carpenter, at Farrington, kissed by force the daughter of a neighboring clergyman. She took him before a jury, and he got six months. But her majesty remitted three months of this sentence.

I am informed there was a case the other day, and a bad one—punishment two months. But I will not be sure, for I have not seen it. Of this I am absolutely sure, that Baker's sentence is severe beyond all precedent. His fine is more than double the highest previous fine. His imprisonment, if not shortened, will be four times the term of Craft's, and about twelve times what, if the female had been in humble life, a blackguard by descent and inheritance would have got, and he is both fined and imprisoned. I think it most proper a gentleman should be more severely punished for so heinous an offense. But it is not proper that facts should be turned clean topsy-turvy, and the public humbugged into believing that the lower order of people are treated more severely in such cases, when, on the contrary, they are treated with gross partiality; still less is it proper, that these prodigious errors of fact should be used to cast a slur upon the just reputation of a very sagacious, careful, and independent judge. To drag the gas stokers' case into this question is monstrous. Law has many branches, and a somewhat arbitrary scale of punishments that binds the judges more or less. As a rule it treats offenses against the person more lightly than offenses against property—ay, even when marks of injury have been left upon the person for months. Now, the law of England abhors conspiracy, and Mr. Justice Brett found the law; he did not make it, nor yet did his grandfather. The gas stokers' sentence had nothing on earth to do with their birth and parentage. They were representative men—the ring-leaders of a great conspiracy, and the only offenders nailed in a case where our jails ought to have been filled with the blackguards. It was a heartless, egotistical, and brutal conspiracy; its object a fraud, and its instrument a pub-

lic calamity. The associated egotists inflicted darkness on a great city during the hours of traffic. They not only incommoded a vast public cruelly; they also added to the perils of the city, and most likely injured life and limb. The judge who punished these deliberate and combined criminals severely was the mouth-piece of an offended and injured public, and not of any clique whatever; for no clique monopolizes light nor can do without it, least of all the poor. He gave his reasons at the time, and the press approved them, as anybody can see by turning to the files. To these facts, sir, I beg to add a grain of common sense. What is there in a British colonel to dazzle a British judge? The judge is a much greater man in society and in the country; and in court he is above the princes of the blood, for he represents the person and wields the power of the sovereign. Class distinctions do not much affect the judges of our day. They sit too high above all classes. One or two of them, I see, share the universal foible, and truckle a little to the press. If a modern judge is above that universal weakness, he is above everything but his conscience and his God. Perhaps my brilliant contemporaries have observed that solitary foible in our judges, and are resolved that Mr. Justice Brett shall not overrate their ability to gauge his intellects or his character. If that was their object, they have written well.

CHARLES READE.

August 30th, 1875.

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## PROTEST AGAINST THE MURDER AT LEWES JAIL.

TO THE EDITOR OF THE "DAILY NEWS."

SIR—I claim the right of a good citizen to disown, before God and man, a wicked and insane act just committed in the

name of the country, and therefore in mine, unless I publicly dissent.

An Englishman named Murdock was killed yesterday at Lewes by the ministers of the law, for a crime the law of England does not visit with death. The crime was manslaughter. It is not possible that even an English judge could so mistake the law as really to take the man's crime for murder. It was destitute, not of one, two, or three, but of all the features that the law requires in murder. On the other hand, it had all the features that distinguish manslaughter. There was no murderous weapon—there was no weapon at all; no premeditation, no personal malice. The act was done in the confusion, hurry, and agitation of a struggle, and that struggle was commenced, not by the homicide but the victim.

As respects the animus at the time, it is clear the violence was done *alio intuitu*; the prisoner was fighting, not to kill but to escape; and that he never from first to last aimed at killing appeared further by his remaining in the neighborhood, and his surprise and ignorance of his victim's death. In a word, it was manslaughter in its mildest form. I have seen a boy of eighteen hanged for stealing a horse. It was a barbarous act, but it was the law. I have seen a forger hanged. It was cruel, but it was the law. But now, for the first time (while murderers are constantly escaping the law), I have seen an English head fall by the executioner in defiance of the law. I wash this man's blood from my hands, and from my honorable name. I disown that illegal act, and the public will follow me. I cannot say to-day where the blame lies, and in what proportions; but I will certainly find out; and as certainly all those concerned in it *populo respondebunt et mihi*.

CHARLES READE.

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## STARVATION REFUSING PLENTY.

TO THE EDITOR OF THE "DAILY TELEGRAPH."

SIR—The journals recorded last week the death by starvation of a respectable seamstress. Now, the death by starvation of a single young working woman is a blot upon civilization and a disgrace to humanity. It implies also great misery and much demi-starvation in the class that furnishes the extreme example. The details in this case were pitiable, and there were some comments in the *Daily Telegraph* well adapted to make men feel and think even if they never knew hunger personally. They have set me thinking for one, and I beg to offer my thoughts. I have observed, in a general way, that the world is full of live counterparts, by which I mean people that stand in need of other people, who stand equally in need of them; only these two live counterparts of the social system cannot find each other out. Distance and ignorance keep them apart. Of late the advertisement sheet has done much to cure that, and is an incalculable boon to mankind. But as there are counterpart individuals, so there are counterpart classes, and I shall ask your assistance to bring two of these classes together and substitute for starvation repletion. I see before me, say, two thousand honest, virtuous, industrious young women, working hard and half starved; and I see before me at least twenty thousand other women holding out plenty in both hands, and that plenty rejected with scorn by young women of very little merit, or, if not rejected, accepted only under vexatious and galling conditions imposed by the persons to be benefited.

Aid me then, sir, to introduce to a starving class an oppressed and insulted and pillaged class which offers a clean healthy lodging and no rent to pay, butcher's meat twice a day, food at all hours, tea, beer, and from £12 to £18 a year pocket-money, in return for a few hours of healthy service per day. To speak more plainly, domestic servants have become rare, owing to wholesale

and most injudicious exportation; and although their incapacity in their business has greatly increased—especially the incapacity of cooks—they impose not only higher wages, but intolerable conditions. The way the modest householder is ground down by these young ladies is a grievance too large to be dealt with under this head, and will probably lead to a masters and mistresses' league. Suffice it here to say that full forty thousand domestic servants are now engaged yearly in London on written characters, and thirty thousand without a character; and I speak within bounds when I say that there are good places by the dozen open to any respectable seamstress. There are mistresses by the thousand who, in the present dearth of good and civil servants, would try a respectable novice. A respectable seamstress has always half a character, for she is trusted with materials and does not steal them; and the oppressed mistresses in question would forgive a few faults in housework at first starting in a woman who could compensate them by skill with the needle—no mean addition to a servant's value. I now turn to the seamstresses. Why do they sit hungry for the dulllest of all labor, and hold aloof from domestic service, at a time when ladies born are beginning to recognize how much better off is the rich housemaid than the poor lady? I suspect the seamstresses are deluded by two words, "liberty" and "wages." They think a female servant has no liberty, and that her principal remuneration, also, is her "wages."

I address myself to these two errors. *Οὐκ ἔστιν ὄστις. ἔστ' ἀνὴρ ἐλευθέρος.* Our liberty is restrained by other means than bolts and bars. It is true that a female servant cannot run into the streets whenever she likes. But she sometimes goes on errands and takes her time. She slips out eternally, and gets out one evening at least every week. Then, as to wages, the very word is a delusion as far as she is concerned. Her wages are a drop in the ocean of her remuneration. She comes out of a single room, where she pigs with her relations, and she receives as remun-

eration for her services a nice clean room all to herself, the market price of which, and the actual cost to her employer, is at least 6s. per week, and the use of a kitchen, and in some cases of a servants' hall, which is worth 2s. per week, and the run of other bright and healthy rooms. In the crib where she pigged with her relations, she often had a bit of bacon for dinner, and a red herring for supper. In the palace of cleanliness and comfort she is promoted to, she gets at least four meals a day, and butcher's meat at two of them. This, at the present price of provisions, is 16s. per week, which is more than an agricultural laborer in the Southern counties receives wherewith to keep a wife and seven children. But, besides this, she gets a shilling a week for beer, and from a shilling to eighteenpence for washing. Besides all this she has from twelve to eighteen pounds in hard cash, with occasional presents of money and dress. The wages of her class have been raised when they ought to have been lowered. The mechanic's wages are justly raised, because the value of money depends upon the value of the necessaries of life. These have risen, and therefore money has sunk. But that rise does not affect the female servants, and it does affect those who feed them like fighting cocks. A droller piece of logic than the rise of fed servants' pocket-money because unfed servants' wages are raised, I never encountered even in Anglo-Saxony. However, the upshot is that any half-starved seamstress who will read this crude letter of mine, and make diligent inquiries, will find that I am right in the main; that domestic servants are trampling too hard upon the people who are called their masters and mistresses; and that three thousand homes are open to a young woman who can prove that she is not a thief, and six thousand hands are offering not only plenty, but repletion, and liberal pocket-money to boot. The pay of a housemaid, in rent, fire, food, washing, beer, and pocket-money, is about £70 a year, and this hungry seamstresses can obtain if they will set about it, and without any loss of dignity: for, as a rule, servants

nowadays hold their heads as high or a little higher than their mistresses do.

I am, sir,

Your faithful servant,

CHARLES READE.

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## OUTRAGES ON THE JEWS IN RUSSIA.

TO THE EDITOR OF THE "DAILY TELEGRAPH."

SIR—I am one of the many persons who are moved by your denunciation of the lawless cruelties perpetrated on the Jews in Russia, and the apparent connivance or apathy of the varnished savages who misgovern those barbarians. If the latter persist in that course and so make that a national crime which might otherwise remain the crime of numerous individuals, some great calamity will fall on them, or history is a blind guide; and by the same rule you give friendly advice when you urge our government and people to protect and wash their hands before God and man of this terrible crime. I fear however that a mere government protest will be slighted or evaded by Russian mendacity. Fortunately our nation can speak and act by other organs besides our government, and now is the time to show ourselves men, and men whose hearts are horrified at the cowardly cruelty of this Tartar tribe to God's ancient people.

Let us take a wide view of this situation, since it is so great and so new in our day; for wholesale persecution of the Jews is not of this epoch, but "a reversion" to the dark ages. One of the signs that distinguish a true Christian from a sham one is that the former studies the Greek and Hebrew Scriptures with care and reverence, and there learns the debt his heart, soul, and understanding owe to historians, poets, philosophers, prophets,

preachers, and teachers, some writing Greek, some Hebrew, but every one of them Jews; and also learns to pity and respect the Jewish nation, though under a cloud, and to hope for the time when they will resume their ancient territory, which is so evidently kept waiting for them. This, the hope of every Christian, is the burning and longing desire of many, for another reason—because the prophecies we receive, though obscure in matters of detail, are clear as day on two points: That the Jews are to repossess Palestine, and, indeed, to rule from Lebanon to Euphrates; and that this event is to be the first of a great series of changes, leading to a vast improvement in the condition of poor suffering mankind and of creation in general. Now we have here in prospect a glorious event as sure as that the sun will rise to-morrow. The only difference is that the sun will rise at a certain hour, and the Jews will occupy Syria and resume their national glory at an uncertain day.

No doubt it is the foible of mankind to assume that an uncertain date must be a distant one. But that is unreasonable. Surely it is the duty of wise and sober men not to run before the Almighty in this thing; but, on the other hand, to watch precursory signs and lend our humble co-operation, should so great a privilege be accorded to us. This sudden persecution of the Jews in the very nation where they are most numerous—may it not be a precursory sign and a reminder from Providence that their abiding city is not in European Tartary? I almost think some such reminder was needed; for when I was a boy the pious Jews still longed for the Holy Land. They prayed, like Daniel, with their windows open toward Jerusalem. Yet, now that the broken and impoverished Saracen would cede them territory at one-tenth of its agricultural and commercial value, a cold indifference seems to have come over them. I often wonder at this change of sentiment about so great a matter and in so short a period, comparatively speaking, and puzzle myself as to the reason. Two solutions occur to me: 1. Dispersed in

various nations, whose average inhabitants are inferior in intelligence and forethought to themselves, they thrive as individual aliens more than they may think so great a multitude of Jews could thrive in a land of their own, where blockheads would be scarce. 2. They have for centuries contracted their abilities to a limited number of peaceful arts and trades; they may distrust their power to diversify their abilities, and be suddenly a complete nation, with soldiers, sailors, merchants, husbandmen, as well as financiers and artists.

If I should happen to be anywhere near the mark in these suggestions, let me offer a word in reply to both objections. In the first place, they both prove too much, for they would keep the Jews dispersed forever. It is certain, therefore, they will have to be got over some day, and therefore the sooner the better. As to objection one, it is now proved that sojourning among inferior nations has more drawbacks than living at home. True, the Russian yokel has for years been selling to the Jews his summer labor in winter, and at a heavy discount. But the silly, improvident brute has turned like a wild beast upon them, and, outwitted lawfully, has massacred them contrary to law: and truly Solomon had warned them there is no animal more dangerous than a fool and a brute beast without understanding. Besides, they need not evacuate other countries in a hurry and before the resources of their own land are developed. *Dimidium facti qui bene cepit, habet.* Palestine can be colonized effectually from Russia alone, where there are 3,000,000 Jews trembling for life and property; and the rest would follow. As to the second objection, History is a looking-glass at our backs. Turn round and look into it with your head as well as your eyes, and you shall see the future. Whatever Jews have done Jews may do. They are a people of genius, and genius is not confined by Nature, but by will, by habit, or by accident. To omit to try is not to fail. What have this people tried heartily and failed in? Warriors, writers, builders, mer-

chants, law-givers, husbandmen, and supreme in all!

When they will consent to rise to their destiny I know not, but this I do know, that, whenever they do, not excessive calculations, but some faith, will be expected from them, as it always has been, as a condition of their triumphs, and they will prove equal to the occasion, and be great in the arts of peace and war, and their enemies melt away before them like snow off a dyke. Should they seem to require help, at starting, from any other nation, blessed will be the nation that proffers it: and the nation that persecutes them will be made an example of in some way or other. Therefore, if by any chance this recent outrage should decide the Jewish leaders to colonize Palestine from Russia, let us freely offer ships, seamen, money—whatever we are asked for. It will be a better national investment than Egyptian, Brazilian, or Peruvian bonds. Meantime, I implore our divines to separate themselves, and all the souls under their charge, in all the churches and chapels of the land, from the crime of those picture-worshipping idolaters and cowardly murderers, by public disavowal and prayerful humiliation, since the monsters call themselves Christians.

Yours faithfully,

CHARLES READE.

3 BLONFIELD VILLAS, UXBRIDGE ROAD.

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## PRIVATE BILLS AND PUBLIC WRONGS.

TO THE EDITOR OF THE "DAILY TELEGRAPH."

SIR—Not being a Member of Parliament, I must either submit in silence to a bitter wrong, or avert it by publicity. The matter is national. Other grave interests are at stake besides my own, and unless the House of Commons is warned in time it may be ensnared into an act it

would look back upon with some dismay. I suppose if anybody were to propose in a private bill to do away with the House of Lords, or repeal the whole common law, people would see that the promoter could not be allowed to enjoy the unfair advantages of a private bill in such discussion. Yet there is a private bill which aims at high game; for it proposes to unsettle the property of the nation, and make it all insecure and liable to surprises and night attacks in Parliament. There is a bill called "Albert Terrace Improvement," which proposes to rob a substantial freeholder of property which I am justified in valuing at £120,000, and several substantial leaseholders who have laid out from £850 to £4,600 a piece, and most of them over £2,000, by the odious and oppressive measure of compulsory purchase. For certain reasons, which I will explain should it ever be necessary, the freeholder would never get under that system one-third of the value. The leaseholders' case is come. They could not get their real value, and they live in the houses, and no money could compensate them, because no money could enable them to get houses like these, with gardens running to the wall of Hyde Park. Such properties are relics of the past.

The bill proposes to give these houses, gardens, and sites—not to the public, as Northumberland House was given, nor yet by voluntary purchase—but to a single individual, who wants them for a building speculation. The operation commenced thus: We the leaseholders received visits, not from road-makers, nor peers of the realm, but from architects and builders. These showed us plans of enormous houses with a turret, and sounded us as to our willingness to turn out of our sweet *rus in urbe*—the only one left in the hideous monotony of masonry. We objected, as we have done to similar attempts before now.

Presently out comes the bill, and lo! our architects and builders have melted away before the eye of Parliament, and no projector figures in the bill, but a road-maker and patriot peer. This public benefactor wants to make a new road

into the park and dedicate it to the public. That he distinctly advances as his main object. But he insinuates that he cannot do this act of patriotism without taking seven of his neighbors' houses, and perhaps more. To carry out this object, a gentleman of good descent, who, nevertheless, is in the House of Lords only an obscure baron, is at this moment in the Commons Emperor Elect of Knightsbridge, for he asks from that House powers so unconstitutional and ill-defined, as he knows from history the Commons would not concede to his sovereign.

The queen has a park; he proposes to break into it. The State has its road-makers; he is for kicking them out of their business. The nation values almost beyond everything else upon God's earth the equal security of property in the hands of Lords and Commons. He proposes to trample on the nation's feeling, and on those equal rights by the odious measure of compulsory purchase. To be sure he puts forward what he calls a public object, viz., a new public road into the park. Now, I am not going to argue the whole case, but merely to give Parliament the means of arguing it soundly.

1. His public road is not a public road, but a new private carriage drive, down which the public would not be allowed to run a wheel; and so great a preference is already shown for private carriages in the park and its entrances, that to open a new drive, and not a road, to traverse the park, would offend the public and rouse unpleasant discussions.

2. This "oligarch's alley," miscalled in the bill a public road, is to be 44 feet wide. The property it demands in the bill is 156 feet wide.

3. The undertaker or his associates, or both, are possessed, in some way, of property lying between Sloane Street and Hyde Park; for they are taking down the houses. He solicits in the bill the right to deviate. He can deviate into rectitude and buy land; he need not deviate into built houses and misappropriation.

There are many other public objections to his "oligarch's alley," which he calls a public road. But those I leave to the House of Commons; and I leave to that House with perfect confidence the Albert Terrace Spoliation Bill, divested of its plausible pretext. I will not be so unjust to the Commons and their history as to let your million readers suppose that House needs to be exhorted by me when private cupidity stands nude on one side and the constitutional rights of Englishmen on the other.

But what may not be done in the dark? When private bills come on there is nobody in the House but the personal friends of the projectors. A job of this kind glides from a bill into an Act in less time than it would take to hatch a serpent, and the House becomes the cat's-paw of a tyranny quite foreign to its own heart and principles.

This is where the shoe really pinches. Only a few members have time or inclination to attend to these cursed little private bills, especially when they are up to the neck in the Hellespont—and who can blame them?—and so a very little varnish carries them through. John Milton says truly that even wisdom has its blind side. The times are high-minded, and the high-minded are unsuspecting; and so, "At Wisdom's gate Suspicion sleeps, and thinks no ill where no ill seems."

This letter, then, is written partly to warn the nation that its rights are at stake, but still more to warn our historical champions of these rights. I submit that, without a *primâ facie* case, it is not fair that worthy, well-affected citizens, all paying taxes to the State, should be juggled in a private bill out of the unremitting protection of the State. It is even hard, and very hard, we should be put to the suspense, anxiety, and expense of fighting such a bill in committee. At present, however, all I ask for is numbers. Oh! do, pray, give the nation and us, on Thursday afternoon, not a handful, but a House; and let the nation know from high-minded Tories and high-minded Liberals whether it has lost the love of



both, and lost the greatest protector of its sacred rights it has ever had.

CHARLES READE.

NABOTH'S VINEYARD,  
February 5th.

## "A TERRIBLE TEMPTATION."

TO THE EDITOR OF THE "DAILY GLOBE," TORONTO.

SIR—Three columns of your journal have been sent me, headed "A Terrible Temptation," yet mainly devoted to reviving stale misrepresentations of my older works. The writer even goes beyond my original detractors—most of them now my converts—for he slanders the character and sincerity of the author; and that in terms so defamatory, and so evidently malicious, that I could sue him, or even indict him, if he was worth it. But I know by experience what would follow: an anonymous slanderer is always a coward; he would run away and hide the moment he saw the dog-whip of the law coming, and I should have to punish some unguarded editor, publisher, or printer, less criminal than the real culprit, but more of a man. I prefer, therefore, to deal with the slanderer as I may: only I expect you, who have published the poison, to publish the antidote.

The anonymous slanderer, in his rifle-pit, has so many unfair advantages over the more manly author, that it is impossible to expose him without first naming and ticketing his habitual blunders and frauds. This necessity compelled me long ago to invent a new science. I call it

### LITERARY ZOOLOGY.

Of that science certain terms are indispensable in this discussion: unfortunately they are new to the Canadian public, so I must explain them.

### THE CRITICASTER,

first pinned on cork by me in 1859. A very curious little animal, with singular

traits; the most distinctive is, that in literary questions easily soluble by direct evidence he flies to cant, conjecture, or "the depths of his inner consciousness," and that means "the shadows of his ignorance." He is a mediæval reasoner, who has lived over into the nineteenth century by some miracle, but no more belongs to it than the Patagonian does, with his implements of stone. This little creature's mind and method are the exact opposite of the lawyer's, the naturalist's, and the critic's.

### THE PRURIENT PRUDE.

(First introduced by me to the American public in 1864.)

This is a lewd hypocrite, who passes over all that is sweet, and pure, and innocent in a book, with genuine disrelish, and fixes greedily on whatever a foul mind can misinterpret or exaggerate into indecency. He makes arbitrary additions to the author's meaning, and so ekes out the indelicacy to suit his own true taste, which is for the indelicate; this done, he turns round upon the author, whom he has defiled, and says, "You are unclean." And so the poor author is. But why? A lump of human dirt has been sitting on him, and discoloring him.

### THE SHAM-SAMPLE-SWINDLER.

This is a kind of vermin that works thus. He finds an objectionable passage or two in a good book, or a borrowed idea or two in an original book. He quotes these exceptional flaws, and then adds slyly, "*And this is the character of all the rest.*" Here a little bit of truth is made the cover to an enormous lie: but, unfortunately for the public, the bit of truth is compact and visible, the huge lie is in the dark. There is no cure to the sham-sample-swindler except reading the whole book; but the sham sample deters its reader from reading the book. Here, therefore, we have an impregnable circle of fraud. The sham-sample-swindle, as applied to grain, is seldom tried by farmers; their morals are not the morals of scribblers: God forbid they ever should

be! It was once tried in Reading market, when I was a boy; but the swindler was flogged out of the market, and never dared show his face there again while he lived. Not so with his literary brethren; they are never flogged, never hung, never nailed on barn-doors. Rarely detected, never effectually exposed, they pursue, without a blush, or a single throb of conscience, the easiest, surest, neatest, and meanest swindle in creation.

#### THE TRUE ANONYMUNCULE.

This little creature must not be confounded with the anonymous writers, who supply narratives of current events, and discuss public measures with freedom, but deal largely in generalities, and very little in personalities. Those are the working bees that gather honey for the public. Reade's anonymuncule is no great producer, he can do little but sting. He is of two kinds—the anonymous letter-writer, pest of families; and the anonymous literary detractor, pest of the fine arts. Both varieties have this essential trait in common, they abuse the shelter and the obscurity of the anonymous. The literary anonymuncule often abuses it doubly: he belies his superior in one organ of criticism, then flies to another, and says the same thing in other words. Then the duped public believes that two disinterested judges have condemned its favorite: whereas the poor editors are only a couple of unguarded puppets, pulled by one unscrupulous anonymuncule raging with literary envy.

I make no apology for this preface, because it is of general utility: all, who study it with a little care, can apply it to a thousand cases—past, present, and to come—in which I have no personal interest.

Now to the ephemeral application of these immortal truths. I am a popular author, bearing an indifferent character for temper and moderation, where injustice is done to others, or even to myself, but a high character for sincerity and humanity. As to my literary fame, it has been acquired fairly, as my very enemies admit: the Press has never been

favorable to me, nor even just: the one incorruptible judge of authors has used its own judgment, and gradually accorded me its esteem. I might say its reverence. Now comes an anonymuncule and undertakes to prove that I am an immoral writer, an indecent writer, a writer by the foot and the month, a writer on a false system, the opposite of Scott's and Shakespeare's, and all great masters: and, above all, a social fire-brand, and a *public criminal*. This latter phrase the anonymuncule thinks so appropriate, so decent, and so humane, that he *repeats* it with evident gusto and self-satisfaction. Now you are aware that no man of honor ever brings such charges against a gentleman of high repute, without some slight show of decent regret, and that none but a low-born villain equivocates, exaggerates, or tampers in any way with facts advanced to support a charge of public crime. Bear that indisputable position in mind, while I dissect my anonymuncule.

He opens his libel by saying that I have shocked public morality: and the following are his main proofs:

A.—I have made a brilliant adventuress of the Denimonde the most interesting female character, if not technically the heroine.

B.—I have thrown her vulgarity into the background.

C.—I have thrown her uncleanness into the background, and praised her by faint blame, etc., etc.

Answer to B. It is a direct falsehood. How does this writer know that Rhoda Somerset was vulgar? He knows it only from me. My fearless honesty has put an oath into the woman's mouth, and plenty of Billingsgate beside. Lie 1.

C.—Behold the "prurient prude." This word "uncleanness," applied to vice, is one of his sure signs. Illicit connections are vicious, but they are no more unclean than matrimonial connections. To apply a term which is nasty, without being strictly appropriate, betrays to a philosopher's eye the prurient prude. Whenever in a newspaper you see the word "filth" applied to adultery or other

frailty, the writer is a lewd hypocrite, a prurient prude. Remember that: it is well worth remembering. Divested of that false and repulsive expression, what does this charge come to? That I have but coldly stated the illicit connection between Rhoda Somerset and Sir Charles Bassett; I have gratified this prurient prude's real taste with no amorous scenes, no pictures of frailty in action. This is quite true. I have given the virtuous loves of Sir Charles and Bella Bruce in full detail, to gain my reader's sympathy with virtue: and the vicious connection I have coldly stated, like a chronicler. Mine is an art that preaches by pictures. I draw the illicit love, with decent reserve; I paint the virtuous love in the purest and sweetest colors I can command. Who but a prurient prude, *with no relish for my scenes of virtuous love*, would distort this to my discredit?

What writer has ever produced scenes purer and sweeter than the innocent loves of Ruperta and Compton Bassett in this book? Yet how have the prurient prudes, one and all, received them? With marked distaste; they call the scenes a bore. Poor shallow hypocrites! These scenes of virgin snow are inconvenient: they do but fidget and obstruct a dirty fellow groping the soil for the thing he denounces and loves.

Is daylight breaking in?

A.—This is a double falsehood.\* In the first place I have made Lady Bassett by far the most interesting character. Were Rhoda Somerset cut out, the deeper interest would still remain, and the story be still rather a strong story. In the next place, Rhoda Somerset is not one character all through the book, as this anonymuncule infers. She is first a frail woman—then a penitent woman. Now it is only in the latter character I admit her to the second place of interest. Even Ruperta Bassett is more interesting than Somerset impenitent. Let any lover of truth study the book, and he will find that no sympathy is conceded to Somerset until her penitence commences, and that the sympathy enlarges as the woman gets better and better. Yet here is

an anonymuncule who utterly ignores a woman's penitence in summing up her character. Is there one precedent for this reasoning that has stood the test of time and reason? No doubt some contemporary females and contemporary criticasters reviled Mary Magdalene to her dying day, and said, "Once a harlot, always a harlot." But what has been the verdict of posterity? And what, in any case, is the verdict of posterity, but the verdict that contemporaries might, and ought to, have arrived at?

If fifteen years' penitence are to go for nothing, in summing up Rhoda Somerset, for how much less than nothing ought ten minutes' penitence to count for in that thief, whom, nevertheless, a venerable Church has summed up a saint?

John Bunyan was a blaspheming black-guard. He repented, and wrote a novel that has done more good to men's souls than most sermons. Would this anonymuncule sum him up a blaspheming black-guard?

Kotzebue's Mrs. Haller is an adulteress less excusable than Rhoda Somerset, a low girl with mercenary parents. Do Mrs. Haller's years of penitence go for nothing? Or does Kotzebue being dead, and Reade being alive, make the penitent adulteress a penitent, and the penitent Anonyma an unmitigated Anonyma? Yet, divest the argument of this idiotic blunder, and that part of the libel falls to earth.

D.—He says I have made Sir Charles Bassett the model man of the book. That is untrue. I have not pretended that he was ever much worse than many other young men of fortune; but I have openly disapproved his early life—have represented him as heartily regretting it, so soon as the virtuous love dawned on him; and yet I have shown some consequences of his early frailties following him for years. If this is not fiction teaching morality in its own unobtrusive way—what is?

E.—He says that there is a strain of the Somerset through the whole book, and that a nurse giving suck is described more sexually than it ought to be. This

is a deliberate falsehood. That great maternal act is described, not sensually, but poetically; and attention is fixed, not on that which the prurient prude was itching for, but on the exquisite expression of the maternal face while nursing—a poetical beauty the sculptors, Chantrey and all, have missed, to their discredit as artists.

*F.*—He says Lady Bassett was on the brink of adultery. This is another deliberate falsehood. Mr. Angelo may have been in danger; but it takes two to commit adultery; and it is clear the woman was never in danger for a moment.

The anonymuncle then proceeds to say that I have given a true picture; that in England the “kept mistress” has become an institution; that Anonyma did beckon our countesses and duchesses across the park, and they followed her, etc.: in short, he delivers a complete defense of the man he has just slandered; for vices are like diseases—to cure them you must ventilate them. Well, I have ventilated the English concubine in my way, and my anonymuncle has slandered me, and imitated me, in the same column of the same newspaper. Having detected himself in this latter act, he catches a faint glimpse of his own conduct, drops the slanderer, and announces that he is going to discourse artistically. Well, when he gets out of slander he is like a fish out of water; I wander through a waste of syllables, hunting, fishing, and diving for an idea; and at last I detect the head of an idea in one paragraph, and the tail in another—these scribblers never can articulate their topics—and I drag its *disjuncta membra* together “with oxen and wainropes,” and so get to this—

Whatever a publisher publishes from week to week, the author must have so composed: *ergo*, Mr. Reade writes so many feet per week, and that makes him a crude accumulator of nothings. Now, where did he get his major premise? From the depths of his inner consciousness. If he knew anything about authors, as distinct from scribblers and anonymuncula, he would be aware that

we never write, as they do, from hand to mouth. Between the publication of my last novel and the issue of the first weekly number of the tale, eleven months elapsed. The depths of this man’s inner consciousness inform him that I did not write one line of the story in those eleven months. Well, they tell him a lie, for I wrote it all—except a few chapters—in those eleven months; and it was all written, copied, and corrected before the Canadian public saw the first line of it.

He now carries the same system, the criticaster’s, into a matter of more general importance. He says that I found my fictions on fact, and so tell lies; and that the chiefs of Fiction did not found fictions on fact, and so told only truths.

Now, where does he discover that the chiefs of Fiction did not found their figments upon facts? Where?—why, in that little asylum of idiots, the depths of his inner consciousness! It could be proved in a court of law that Shakespeare founded his fictions on fact, wherever he could get hold of fact. Fact is that writer’s idol. It was his misfortune to live in an age when the supplies of fact were miserably meager. Could he be resuscitated, and a copy of the *Toronto Globe* handed him at the edge of the grave, he would fall on his knees, and thank God for that marvel, a newspaper, and for the rich vein of ore, whose value to the theater he would soon show us, to our utter amazement. Living in that barren age, he did his best. He ransacked Belleforest, Baker, Holinshed, for facts. He transplanted whole passages from the latter bodily into “*Macbeth*,” and from Plutarch into his “*Coriolanus*.” His historical dramas are crammed with facts, or legends he believed to be fact. Wolsey’s speech interwoven with his own—Fact; Henry the Eighth’s interjections—Fact; the names of Pistol, Bardolph, and a dozen more—Fact: you may see them on the court-rolls of Stratford-on-Avon any day you like. His Dogberry and Verges—Fact—from Crikklade in Gloucestershire; his charnel-house in “*Romeo and Juliet*”—Fact—from Stratford-on-Avon, etc. This anony-

muncule can put some limits to his ignorance in twenty-four hours, by reading the "Prolegomena" to Malone's edition, and a few of the notes. Shakespeare habitually interweaves fact with fiction; so this anonymuncule has called him a liar! As for Scott, he is one mass of facts. I know this from various sources—my own mediæval researches, Scott's biography, and Scott's own notes to his own works. He was forty years collecting facts before he wrote a novel. Pure imagination is most ardent in youth: why then did he not pass his youth in writing? He would, if he had held this anonymuncule's theory. He employed that imaginative period in collecting facts: he raked the Vale of Etrick for facts: he ransacked the Advocates' Library for facts; and so far from disguising his method, he has revealed it fully in his notes. His ability is his own, but his plan, though not his genius, is mine. Now I will substitute the method of the critic for the method of the criticaster and sift this question in the person of a single artist. Daniel Defoe wrote a narrative on the plan this anonymuncule praises, and says it never leads to lying; it is called "The Apparition of Mrs. Veal." He also wrote a narrative on the method I have adopted, called "Robinson Crusoe." Now, the private history of the latter composition is truly instructive. Daniel Defoe came to his work armed with facts from three main sources: 1. Facts derived in conversation from Selkirk, or Selcraig, who spent some months in London on his way to Largo, and was what we now call a lion; 2. The admirable narrative of Selkirk, by Woodes Rogers; 3. Dampier's Voyages, in which book, and not in his imagination, he found the Mosquito Indian Friday, and certain moral reflections he has put into Robinson Crusoe's mouth. With these good hard facts he wrote a volume beyond praise. His rich storehouse of rare facts exhausted, he still went on—peopled his island, and produced a mediocre volume, such as anybody could write in his age, or ours. The immortal volume dragged its mediocre brother

about with it, as men were attached to corpses under the good King Mezentius. The book was so great a success that its author tried my anonymuncule's theory; he took the field armed with his imagination only, unadulterated by facts. What was the result? The same writer produced another "Robinson Crusoe," which the public read for its title, and promptly damned upon its merits: it has literally disappeared from literature.

"The Apparition of Mrs. Veal" is written on a plan which, according to my anonymuncule, breeds general truths, and no lies. What! The sham certificate of the magistrate, and the sham apparition, minutely related with a single dishonest purpose, to trepan the public into buying the dead stock of "Drelin-court on Death"—these are not lies? I congratulate him on both branches of his theory.

The charge of public criminality my anonymuncule rests on this—"That I went upon a single case of habitual cruelty, and traduced a whole system and all the officials, and did all I could to make a great social experiment miscarry." This is one tissue of falsehoods. That no sanguinary abuses existed, except in one jail, is a lie. The ordinary Bluebooks, written with rosewater, to please Colonel Jebb the Jail King, revealed a shocking number of suicides, and a percentage of insanity, which, in a place where the average rate was reduced by stoppage of spirituous liquors, gave me just alarm. I had also personally inspected many jails, and discovered terrible things: a cap of torture and infection in one northern jail: in a southern jail the prisoners were wakened several times at night, and their reason shaken thereby. In another jail I found an old man sinking visibly to his grave under the system: nobody doubted it, nobody cared. In another, the chaplain, though a great enthusiast, let out that a woman had been put into the "black hole" by the jailer, against his advice, and taken out a lunatic, and was still a lunatic, and the visiting justices had treated the case with levity. Then I

studied the two extraordinary Blue-books, viz., the Royal Commissioners' Report on Birmingham Jail, and also on Leicester Jail, of which last this impudent, ignorant person has evidently never heard. Then I conversed with one of the Royal Commissioners, and he told me the horrors of Leicester Jail had so affected one of the Commissioners that it had made him seriously ill for more than a month. Enlightened by all these studies, and being also a man qualified to see deeper into human nature than the Jail King, or any of his military subordinates, I did what the anonymous Press had done on a vast scale without reproach from any anonymuncle: I struck a blow in defense of outraged law and outraged humanity. But unlike the Press, to whom the prison rules are unknown, I did *not* confound the system with all its abuses; on the contrary, I conducted the case thus: I placed before the reader not one government official, but two—the jailer and the chaplain: the jailer eternally breaking *the prison rules*, and the chaplain eternally appealing to the prison rules.

At last, after inflicting many miseries by repeated breaches of the prison rules, the jailer does a poor boy to death; and then I bring in a *third government official*, who dismisses the jailer. Now, since the prison rules were the conditions of the national experiment, I clearly supported the national experiment in most particulars. I admit that, in two respects, I did try hard to modify the experiment: I urged on practical men its extreme liability to abuse, and I wrote down the crank, and gave my reasons. This irritated government officials for months; but at last they saw I was right, and abolished the crank, which was a truly hellish invention to make labor contemptible and unremunerative, and theft eternal. They have since conceded to me other points I had demanded; and, in virtue of these improvements, I am, on a small scale, a public benefactor, and have modified, not disturbed, the national experiment.

Now let any one examine the files of September, 1853, and see what an onslaught a hundred anonymous writers made on the jails. How is it that not one of these is dubbed a national malefactor? Simply, because my anonymuncle is not jealous of *them*. They, like me, did their duty to the nation; they lashed that Birmingham Hell, which disgraced, not England only, but human nature, and eighteen months afterward they lashed the English judges for not inflicting a proper punishment on the criminal jailer. These men, like me, wrote humanity, philosophy, sound law, and good gospel, in a case that cried aloud to God and man for all four. To be sure they wrote on sand, I wrote on brass. But those immortal things are not changed by sand or brass. Whether you print them didactically or dramatically makes no moral difference. I was a national benefactor, one of many. Let me go with the rest, undistinguished. Whoever singles me out, and calls one national benefactor a national criminal, is a liar and a scoundrel. I beg pardon, he would be, if he was a man; but your anonymuncle is not a man, as I understand the word—he is a creature with no genuine convictions whatever. He will write against barbarity in prisons, asylums, hospitals, poorhouses, and all dark places; and, if a man with higher powers writes more effectually against those barbarities, he will eat his own words, and defend Hell. There are several anonymuncula of this sort in England, who would deny their God on the spot if they caught Mr. Reade singing a hymn. I begin to suspect this is one of them strayed into an honest country, and disgracing it.

His objections to "Put Yourself in His Place" are a tissue of lies. He says I have attacked Trades Unions. A direct falsehood. I have distinctly defended them, and do defend them.

He intimates I draw a vital distinction between my club and an Union. A direct falsehood. I have plainly disowned all such distinctions.

He says I have surred the faults of the

masters. A lie. I have detailed and denounced them again and again.

He intimates I have not read the Blue-books on Mines and Factories. A mistake. I am deeply versed in them, as he will find, if I live.

He complains that I have not taken into account the diseases and short lives of the Sheffield cutlers. A falsehood. I have gone more minutely into them than any living man but Dr. Hall; have pointed out the remedies, and blamed the masters for not employing their superior intelligence to save the men. "You call your men 'Hands,'" say I: "learn to see they are men."

Understand me, I would not apply harsh terms to my anonymuncule, if these several mistakes were advanced in a literary notice. But the whole article is an *indictment*; and in an indictment a falsehood is a lie. He has either been to the depths of his inner consciousness to learn the contents of my book, or else he has employed another anonymuncule, or some inaccurate woman, to read it for him, and so between two fools—you know the proverb. "Put Yourself in His Place" is at issue with this writer on one point only. I am not so sloppy-minded as to confound the Manchester district with the town of Manchester. That district numbers two million people. is infected with trade outrage, is losing its sympathy with the law even in face of murder, and is ceasing to be England. Nothing is more shallow than the frivolity with which Mr. Harrison and other one-sided men dismiss this terrible phenomenon as exceptional. He who has studied human nature and the Bluebooks so deeply as I have, and searched the provincial journals, knows that not two but forty trades have committed outrages, and that the exceptional ruffianism of certain Manchester trades is not a genuine exception, but only the uneducated workman's ruffianism carried fairly out. That the Sheffield outrages were stale when I wrote—is a lie. They have never intermitted. Bluebook exposure did not affect them for a moment. The town turned Roebuck out of Parliament, for

not burking the exposure; and went on with their petards, and other deadly practices; see the journals *passim*. Last year they knocked a whole row of non-union houses to pieces, and tried to slaughter the inmates. Were the miscreants at Thorncliffe cutlers? I thought they were this anonymuncule's pets, the miners. The fact is that the Union miners' hands, from John o' Groat's to Lizard Point, are red with the blood of non-union men. In the United States the trades are already steeped in human blood. Is America Sheffield, or Manchester?

The masters are just as egotistical as the men; but, unlike the men, they have never had recourse to violence. How long will that last? Does this dreamer imagine that capital *cannot* buy fighting agents, and ten thousand Colt revolvers, and a million grapeshot; and kill lawless ruffians by the hundred, when they commit felony by the hundred? When we come to this, and when the Unions have upset the British Constitution through the servility of the Commons and the blindness of the Peers, let it be remembered that a thinking novelist, a lover of his kind, encouraged the workmen in lawful combination, but wrote against their beastly ignorance and dirt, and their bloody violence and foul play. In such a case it is either books or bayonets. I have tried a book. Others will try bayonets, and anonymuncula will cry "Bravo!"—unless they catch sight of a popular author in the front ranks.

The author of "Put Yourself in His Place" is, in a very small way, a public benefactor. Whoever calls him a public criminal is a liar and a scoundrel.

That in "Hard Cash" I painted all asylums as abodes of cruelty—is a lie. One of my asylums is governed by a most humane person, though crotchety. The solitary asylum in "A Terrible Temptation" is also a stronghold of humanity. Even in "Hard Cash" the only cruel asylum is governed, not by a physician, but a pawbroker. As to the abuses pointed out in "Hard Cash," they really existed, and exist.

Can any man offer a fairer test of a book's veracity than I did? I said, in my preface to "Hard Cash," that the whole thing rested on a mass of *legal evidence*—Bluebooks, pamphlets, newspapers, private letters, diaries of alleged lunatics, reports of tried cases. I offered, in print, to show these, at my own house, to any anonymous writer who might care to profit by my labor—the labor of Hercules. I lived eighty yards from Piccadilly, a great fashionable thoroughfare, down which many of these gentry pass every fine day. How many do you suppose accepted this infallible test of mendacity or veracity in my book?

NOT ONE!

Not one of these hypocrites, who pretend to love truth, would walk eighty yards to reap a whole harvest of truth with next to no trouble.

No, they preferred to lie, unshackled by evidence, and to accuse me of being a liar like themselves.

This anonymuncle has read that printed challenge, and knows it was shirked. Yet he repeats the contemporary lie—which is now a greater lie than ever: for fresh evidence has poured in, both public and private. A gentleman in Dublin has recently been incarcerated, on certificates, in an asylum; has gone to the court with a *habeas corpus*, and been at once pronounced sane. A Manx drunkard has just been cajoled into Scotland, and incarcerated, on a medical certificate, as insane.

These are public cases: so is *Hall v. Semple*, where a turbulent and drunken wife bought a doctor, and incarcerated her husband. Husband has sued doctor, and got damages. Add private cases. A tradesman in the North had a pretty wife. She went to a magistrate, and said he was mad; "And do, please, lock him up for me." "My pretty dear," says the magistrate, "I can't do that, unless you are sure he is mad." "Mad as a March hare!" replies that fair and tender spouse. Thereupon the magistrate issues his warrant, and the man is locked up. He was no more insane than his neighbors. He got his discharge, and

came to me directly. I employed him in several matters.

A respectable tradesman in Cheltenham was incarcerated by his wife, and kept eleven years, while she maintained an illicit connection. He made his escape, and came to me. I lent him a solicitor, and told the parties interested to let him alone. They have never laid a finger on him since. The man is perfectly sane, and always was.

At Hanwell Asylum alone the keepers have murdered three lunatics, by breaking from eight to ten ribs, and the breast-bone. The doctor, in every case, has told the coroner that the science he professes does not enable him to say positively that all these ribs were not broken by the man slipping down in a room: and I say that, if medicine was a science, it would possess the statistics of falls; which statistics are at present confined to my notebooks, and these reveal, that in mere tumbles, men break the projecting bones before they break the ribs; and that during the last twenty years only one man has broken so many as four of his own ribs, and *he fell 120 feet*.

I told the public, in the *Pall Mall Gazette*, the precise mode in which lunatics are murdered at Hanwell—viz., by the keepers walking up and down the victim on their knees, and pressing on him with their knees. A month later, two keepers were indicted for killing a man in Lancaster Asylum. The doctors puzzled a bit over his broken ribs, and conjectured that nine ribs were broken by pressure on the breast-bone; which is simply idiotic, as will be found by experiment on a skeleton. A witness went into the box, and swore he had seen the man murdered by repeated blows of the keepers' knees. For once, thank God, we nailed these miscreants, and they got seven years' penal servitude.

The author of "Hard Cash" is a public benefactor, in a small way. Whoever, after this, calls him a public criminal, is a liar and a scoundrel.

The last charge is trifling. Here is an ill-natured egotist accusing me of good-natured egotism. The charge, made



with moderation, might perhaps have been sustained; but his malice and mendacity have overshot the mark, and given me a right to correct him.

He begins with the Sham-Sample-Swindle. He cites a single passage from my letter to Bushnan. That passage, so taken, is egotistical, but not if you consider the context and its purpose. Bushnan was a humbug, who wrote at me publicly, and said there were no abuses in asylums. You will smile, perhaps, when I tell you that, at that moment, there were abuses in his own asylum so serious, that, very soon after, he was turned out of it. Well, I knocked Bushnan on the head with a lot of examples this anonymuncle has read and shirked, the better to repeat Bushnan's falsehood. From that list of facts I could not afford to exclude my own experience—it was too good evidence to suppress. Yes, at a time when my income was not large, I did, for love of justice, humanity, and law, protect an injured fellow-citizen, in whom I had no other interest. He was a sane man, unjustly incarcerated. I fed him, clothed him, backed him, and, after a bitter and costly struggle, got him an annuity of £100 a year for life from those who incarcerated him. Perhaps, if an anonymuncle were capable of such an action, he might mention it spontaneously and more than once. It was dragged out of me by a liar, and I never repeated it in my own person.

For an author to introduce his own character into a novel looks like egotism; but it is not so uncommon as this illiterate person imagines. Eccentric characters are rare and valuable to the artist; and this eccentric character was intruded not egotistically but artistically. It fitted the occasion and forced itself on me.

"Oh, but," says the anonymuncle, "your sketch is one strain of eulogy on the person and mind of Rolfe." Was ever so impudent a lie as this? It is the exact opposite of the truth. It should be remembered that, in fiction, I am not a satirist; I am one who sees the bright side of a mixed character, and I dare say Rolfe has benefited a little by that, along

with a score more characters that I have drawn. But compare Rolfe with his predecessors in his own line of business—with Mr. Eden, Dr. Sampson, Dr. Amboyne. Have I ever handled him with the reverence, the affection, the gusto I have shown *them*? Have I disguised his foibles? Have I not let Dr. Suaby get the better of him in dialogue? Who gets the better of Eden or Amboyne?

"But," says my anonymuncle, "you have said the best judges adore his works." This is an impudent lie; I never said a syllable of the kind.

"Personally he is most striking and interesting," etc. This whole sentence is an impudent lie. I have described the man as personally uninteresting and commonplace: an unwieldy person, a rolling gait, commonplace features, a mild brown eye, not bright. I have told the truth *pro* and *con*, just as I should of any other person I was inspecting with an artist's eye.

But the best possible answer to this falsehood is to republish the comment of an American critic, that has come to me: "It is alleged that in this character Reade has intended to represent himself, and a cry of horror is raised, by those who have never read 'Copperfield,' 'Pendennis,' or 'Amelia,' and never seen Raphael's portrait of himself. We are inclined to think that Rolfe and Reade are one, because the novels of the latter could scarcely be as perfect as they are, without the patient, unremitting drudgery ascribed to the former, and also because the character is drawn in a pitiless fashion, which Reade never elsewhere employs toward his virtuous personages. The plain exterior of the man, and his self-conceit, all his foibles, are kept persistently before the reader, in a style which seems to indicate conscientious self-analysis, and in gratitude for the picture we fail to blame the artist."—*The Charleston Courier*.

One of these writers is clearly tampering with truth. Let the book itself decide which.

Two virulent critiques on my works, in Canadian papers, end rather suspiciously with the same suggestion. This indicates

the same hand, and is an abuse of the anonymous. See my preliminary remark *in voce* anonymuncule. The suggestion of which the anonymuncule is so proud is this, that Mr. Rolfe, previously identified with Mr. Reade, may perhaps end his days in a madhouse.

That shall be as God pleases. He gave me whatever good gifts I have, my hatred of inhumanity and injustice, and my loathing of everything that is dastardly and mean, from a British anonymuncule up to a Carolina skunk; and He can take these gifts away in a moment, by taking my reason.

I shall be no nearer that calamity for this writer's suggestion, and he will be no further off it, since such suggestions sometimes offend God, as well as disgust men.

But this is certain: should he ever transplant into any business less base and below the law's lash than anonymous detraction, the morals and practices he has shown in slandering me, he will, soon or late, find his way, not to an asylum, but a jail

Your obedient servant,

CHARLES READE.

October, 1871.

This letter was written in reply to a malicious and defamatory libel by Mr. Goldwin Smith in the *Toronto Globe*. The character of that libel can be divined by the reply. I sent it to the *Globe*, but, as criticsasters dare not encounter superior writers, on fair terms, it was suppressed.

C. R.

August 5, 1882.

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## A SUPPRESSED LETTER.

THE *Athenæum* has lately published some critiques on dramatic authors, signed "Q." and written with more confidence than knowledge. The article on Mr. Tom Taylor shocked Mr. Charles Reade's

sense of justice and propriety, and he wrote a letter to the editor of the *Athenæum*. That gentleman suppressed the letter. Mr. Reade objects to this as doubly unfair, and requests the editor of the paper to which this is sent to give the letter, and its suppression, due publicity.

TO THE EDITOR OF THE "ATHENÆUM."

2 ALBERT TERRACE, KNIGHTSBRIDGE,  
April 25th, 1871.

SIR—An article appeared in last week's *Athenæum* entitled "Mr. Tom Taylor," and written by one "Q." The article is unjust and needlessly discourteous to a writer of merit, and I must appeal to your sense of justice to let a disinterested critic correct your "Q." and undeceive your public.

I will take the two writers in their intellectual order.

MR. TOM TAYLOR

first distinguished himself as a scholar: obtained a fellowship at Trinity College, Cambridge. "Mutatis Studiis" he wrote for the theater; and his early pieces were all original, though, at that time, originality was rarer than now. Between the years 1852 and 1856 I had myself the honor of working with him on four original dramas. I found him rich in knowledge, fertile in invention, and rapid in execution. Of late years he has been a very busy man; he is the head of a public office, and the nation takes the cream of his day: he is a steady contributor to the *Times* and to *Punch*, has published two biographies of great research, and yet has contrived to write many good dramas in prose and verse. The mind is finite, so is the day; and I observe that, writing for the stage in the mere fragments of his time, he now invents less, and imitates more, than he did some years ago. But, taking his whole career, the title of a dramatic inventor cannot be honestly denied him. He may not be a dramatist of the highest class—what living Englishman is?—but he resembles the very highest in this, that he sometimes adapts or imitates, without

servility, and sometimes invents. This accomplished writer in so many styles is the only man who of late years has filled a theater by poetical dramas. His last is "Joan of Arc."

Is not this a remarkable man, as times go, and entitled to decent respect from the mere shrimps and minnows, who write *about* literature, because they cannot write literature?

MR. Q.

is a variety of the literary insect "Criticaster." He has been good enough to reveal his method. He went to the Queen's Theater to see "Joan of Arc." and weigh the author's lines, and the author himself, in his little balance. He qualified himself as follows: he turned his back on the stage, and fell to talking with another criticaster—the illustrious P.—about other plays of Mr. Taylor. They did not talk improvingly, for they merely played off a stale literary fraud which I exposed two years ago under the title of the "Sham Sample Swindle." For all that, this part of Q.'s narrative is interesting to me: I have long been asking myself to what class of society, and to what depths of the human intellect, belong those chattering snobs who always spoil a play for poor me, whenever I go to the public part of a theater.

"Revealed the secret stands of Nature's work."

They are criticasters; sent in there, by too confiding editors, to hold their tongues, and to give their minds to the play.

At the last scene it suddenly occurred to "Q." that he must not go away knowing nothing of the play he was sent there to know all about, and this led to a dialogue I reproduce verbatim, simply remarking that to me, who am a critic, it reads like bad fiction.

"May I venture to ask," said I, 'if you have reason to suppose that the drama we are now witnessing is derived from any foreign original?' My friend was expanding his crush-hat. 'Certainly not,' he replied with emphasis, pointing to the stage, whereon they were roasting Mrs. Rousby: 'I know no other

dramatic author who, left to himself, would conceive the notion of presenting before an audience such brutal realism as that.' And my friend left."

Now "P." never uttered those words. Every nation has two languages; the spoken, and the written; so uncouth and involved a sentence never flowed from a bad writer's mouth, it could only wriggle from a bad writer's pen. However, there it is—a monument of impudence, insolence, and ignorance. What these poor gropers in the back slums of the drama stigmatize as unprecedented realism has been enacted before admiring Europe, by the most poetical actress of the century, in the first theater, and the most squeamish, of the civilized world. 'Joan of Arc' was one of Rachel's characters, and, in her hands, was burned to was death night after night. The burning represented with what a critic would call "terrible fidelity," a criticaster, "brutal realism." She stood on a small working platform arranged to fall about two feet to a stop. The effect was truthful, but appalling: for, when the fire had burned a little time, the great actress, who did nothing by halves, turned rigid, and seemed to fall like a burned log from her supports. It conveyed, and was intended to convey, that the lower extremities had been burned away and the figure dropped into the flames. Of course the curtain fell like lightning then, and, up to the moment preceding that awful incident, the face of the actress shone like an angel's, and was divine with the triumph of the great soul over the very flames that were destroying the mortal body.

Believe me, sir, no author, French or English, can give this actress a nobler opportunity than this of rising to the level of Poetry and History.

As to the notion that death by fire is unfit to be presented *coram populo*, this is the chimera of a few Anglo-Saxon dunces, afflicted with the known intellectual foible of their race—the trick of drawing distinctions without a difference: in other words, the inability to generalize. Death by fire is neither more nor less fit to be presented faithfully than

death by poison, or cold steel. Only the death of "Joan d'Arc" by fire, with her rapt eyes fixed on the God she is going to, is of a grander and more poetical nature than the death of "Hamlet" or of "Macbeth."

That the performance of this great scene at the Queen's Theater suggested nothing nobler and more poetic to "P." and "Q." than *an actress roasted*, is not the fault of Mr. Taylor, nor of history, which dictated the situation.

No Frenchman was ever the hog to comment on the same situation in a similar spirit, and I am therefore driven reluctantly to the conclusion, that the brutal nation, which burned the maid of Orleans, is still, in some respects, at the bottom of mankind.

Of course, if the part was vilely acted there would be some excuse for "P." and "Q." But, on the contrary, I hear it is well acted. The fault then lies with the criticasters. It is the old, old story: *Parvis omnia parva*. When little men, with little heads, little hearts, little knowledge, little sensibility, and great vanity, go into a theater, not to take in knowledge and humanity, but to give out ignorance and malice, not to profit by their mental superior, but to disparage him, they are steeled against ennobling influences, and bonded to beauties however obvious. But the retribution is sure. "Depreciation" is the writer's road to ruin. Men see, in our difficult art, by the divine gift, and the amiable habit, of appreciation: to appreciate our gifted contemporaries is to gather unconsciously a thousand flowers for our own basket.

The depreciator despises his gifted contemporaries, and so gathers nothing but weeds and self-deception. The appreciator makes a name, a fortune, and a signature. The depreciator tickles his own vanity, but gets to admire nothing, feel nothing, create nothing and be nothing—but a cipher signed by an Initial.

I am, sir,

Your obedient servant,

CHARLES READE.

## "FOUL PLAY."

TO THE EDITOR OF THE "EXAMINER AND TIMES."

SIR—The *Manchester Examiner*, of June 25, contains some remarks upon the above drama, which amount to this, that it is respectably written, but poorly acted, at the Theater Royal. This summary is calculated to mislead the public, and to wound artists of merit. Permit me, then, to correct the error.

A dramatist is entirely at the mercy of his actors; let him write like an angel, they can reduce him to the level of Poor Poll. You may, therefore, lay it down as a mathematical certainty that a drama is very well acted if it holds an audience tight for three hours and forty minutes, eliciting laughter, tears, applause, and few or no yawns. To go into detail, which is the surest way, Mr. Coleman plays Robert Penfold with the variations of manner that difficult character requires. Easy and natural in the prologue, he warms with the advancing action. His manner of dealing with the difficult tirade in the fourth act shows a thorough knowledge of his art, and he works the act up to a climax with a fire that is invaluable to me, and rare on any stage. On the whole, his is an earnest, manly performance. Miss Henrietta Simms is an actress—young in years, but old in experience—who has often played leading business at the Adelphi Theater, London. She has presence and dignity, yet can be sprightly without effort. She lacks neither fire, tenderness, nor variety; and, as one example how far she can carry those three qualities, let me point to four speeches she delivers in the principal island scene. They follow upon Robert Penfold's defense, and might be profitably studied both by actors and critics. But elocution is only a part of the great histrionic art. In fact, what reveals the true artist at once, is his dumb play: by which I mean the play of his countenance while another actor is speaking. The faces of second-rate actors become less expressive when they are silent, but the dumb play

of first-rate actors never intermits, and is in as high a key as their play. Now in this branch of her art Miss Simms has hardly a living rival. Let anybody who cares to test this statement watch the changes of her countenance when Robert Penfold and the others are speaking to her. Let him observe her when Arthur Wardlaw places in her hands the pearl from Godsend<sup>r</sup> Island, gradually her eyes dilate, her lips part, and, long before she speaks the commonplace line I have given her, all the sweet memories of love and Godsend Island seem to flow into her face, and elevate it with a tenderness that has really something divine. Such strokes of genius as this partake of inspiration, and are the glory of that enchanting art, which is so plentifully written about, but, alas! so little comprehended. Now for the smaller parts, which, as your contributor seemed to think, play themselves. I know the London stage by heart, and there is not an actor on it who can look and play Wylie as well as Mr. Horsman does. Mrs. Horsman's performance has, upon the whole, breadth and geniality. Mr. Edwards is a tragedian, who plays a part he dislikes, to oblige us. The part contains few of those strong effects which suit him, but he never misses one. The fourth act of this play reveals a sailor lying on a bank, sick, and near his end. He is left alone, and has a soliloquy of eight lines. With these eight lines, and the business that belongs to them, an actor holds a large audience hushed and breathless, and draws many a tear from men and women. And who is this magician? It is Mr. Royce, the low comedian of Mr. Coleman's company. Is it usual in this city for low comedians to draw more tears with eight lines than our tragedians draw with eight plays? If not, why pass over Mr. Royce as if I had written *him* along with the lines he delivers so exquisitely? Mr. Chute, a manager, and a veteran actor, plays the little part of Wardlaw Senior to oblige me, and I begin to fear he plays it too well. The purity, the quiet dignity, and gentlemanly ease with which he invests

it are too rare upon the stage to be promptly appreciated. All I can say is, that since Downton's time I have seen nothing of this class so easy, natural, and perfect.

I fear, sir, I have trespassed on your courtesy; but I am sure you would not willingly lend yourself to an injustice, and I even think and hope that, should your critic revisit the theater, he will come round to my opinion—viz., that "Foul Play" owes a large share of its success to the talent and zeal of the performers, and especially of those who play the small characters.

I am, sir,

Your obedient servant,

CHARLES READE.

PALATINE HOTEL,

June 26th, 1868.

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## THE SHAM SAMPLE SWINDLE.

### "FOUL PLAY."

THE world is so wicked and so old, that it is hard to invent a new knavery. Nevertheless, certain writers are now practicing an old fraud with a new face, and gulling the public and the Press.

Nothing baffles the literary detective so much as a nameless knavery. I begin, therefore, by depriving the fraud in question of that unfair advantage, and I call it—

## THE SHAM SAMPLE SWINDLE.

Examples.—1. A farmer prepares his sample of wheaten grain for market. His duty is to put his two hands fairly into the bulk and so fill his sample-bag. But one day, in my experience, a Berkshire farmer picked his grain for show: that is, he went through the sample, and merely removed the inferior grains. He

stood in the market with the sham sample, and readily sold twenty load of grain at more than its value. The fraud was detected, and the farmer driven out of the market.

2. Suppose some malicious rogue had access to a farmer's sample-bag, and were to remove the fine grains, and leave the inferior—that would destroy the farmer's sale and be also a sham sample swindle. Of course nothing so wicked was ever done in agriculture; but there is a baser trade in the world than agriculture, and plied by dirtier hands than those which scatter dung upon our fields.

3. I read one day an article in a Quarterly Review, in which these two expressions occurred more than once, "the author of 'Robinson Crusoe,'" and "the author of the 'Lily and the Bee.'" Now, Defoe wrote several stupid stories, and one masterpiece: Warren wrote several powerful stories and one foolish rhapsody: yet here, in the name of science (for criticism is science, or it is nothing) is Warren defined by his exceptional failure, and Defoe by his exceptional success: and that is one form of the sham sample swindle. [N.B. The dead are apt to get the sunny side of this swindle, and the living the windy side.]

4. A writer produces a great book. With all its beauties it is sure to have flaws, being written by man, who is an imperfect creature. The sham sample swindler picks out the flaw or flaws, quotes them bodily, which gives an air of honesty, and then says, "*We could give a host of other examples, but these will serve to show the general character of the work.*"

The swindle lies in the words italicized. They declare a sham sample to be a true sample; and, observe, this is a falsehood that cannot fail to deceive the reader. For why? The grain of truth that supports the falsehood is shown; the mass of truth that contradicts the falsehood is hidden.

5. A great work of fiction is written; it is rich in invention and novel combination; but, as men of genius have a singularly keen appreciation of all that is good,

and can pick out pearls where obscure scribblers could see nothing but rubbish, the author has, perhaps, borrowed one or two things from other written sources, and incorporated them happily with the bulk of his invention. If so, they ought to be pointed out to the public, and are, of course, open to stricture from unlearned critics, who do not know to what an extent Shakespeare, Virgil, Molière, Corneille, Defoe, Le Sage, Scott, Dumas, etc., have pursued this very method, and how much the public gain by it. But the sham sample swindler is not content to point out the borrowed portion, and say honestly, so and so is not original, the rest may be. His plan is to quote the plagiarism, and then add, "*And that part of the work we do not quote is all cut from the same cloth.*"

He tells this lie in cold blood, with his eyes upon the truth: and, as I said before, it is a fraud that can never fail on the spot, because the borrowed part of the work is in sight, the bulk of the work is out of sight.

So much by way of general description.

I come now to a remarkable example: Several journalists not blessed with much power of reasoning on literary subjects are repeating that "Foul Play," a three volume novel, which originally appeared in this magazine, is a servile copy of an obscure French drama, called "Le Portefeuille Rouge."

Not to waste time on echoes, I have traced this rumor to its source, a monthly magazine, called the *Mask*. Here, the writer, in a form, the modesty and good taste of which I shall leave to the judge in whose court I may select to try the proprietors of the *Mask* for the libel, conveys to the public a comparison of the two works, and contemptuously comments upon the more brilliant and important of the two.

He conducts the comparison on a two-fold plan. First he deals with the incidents of the two works. Secondly, with the dialogue. But how? In the first branch of comparison he suppresses  $\frac{1}{10}$ ths of the striking incidents in "Foul Play,"

and at least  $\frac{1}{10}$ ths of the strong incidents in "Le Portefeuille Rouge," and, then, by slightly twisting the few incidents that survive this process, and by arbitrarily wording this double sham sample swindle in similar language (which language is his, not ours), he makes the two works appear much alike in incident, although they are on the whole quite unlike in incident.

Secondly, he comes to the dialogue. And here he is met by a difficulty none of

the sham samplers who preceded him had to face. He could not find a line in "Foul Play" that had been suggested by a line in "Le Portefeuille Rouge." What was to be done? He hit upon the drollest expedient. He selected a dialogue from "Le Portefeuille Rouge" and set it cheek by jowl, not with parallel passages in "Foul Play," which was what his argument demanded, but with a lame and incorrect translation of itself. Here is a specimen of his method:

"LE PORTEFEUILLE ROUGE."

KERVEGUEN.

Pour rien au monde, je n'aurais voulu vous laisser seul ici; mais, d'un autre côté, quels risques n'auriez-vous pas courus en vous embarquant avec nous? . . .

HELENE.

Quoi! mon père, auriez-vous donc l'idée de parti sans lui?

KERVEGUEN.

Le bâtiment que je monte appartient à l'État, et je ne saurais prendre avec moi un homme condamné par les lois françaises.

HELENE.

Injustement condamné, mon père; M. Maurice est innocent.

KERVEGUEN.

Dieu m'est témoin que je le souhaite de toute mon âme!

And so on for *seventy* speeches. By this method it is craftily insinuated to the reader that seventy speeches of "Foul Play" *could* be quoted to prove the plagiarism, though not one speech *is* quoted. Curious, that a maneuver so transparent should succeed. But it has succeeded—for a time.

Unfortunately for truth and justice, the sham sample swindle, being founded on suppression, has the advantage of brevity; whereas its exposure must always be long and tedious. But, since in this case it has attacked not my ability only, but

THE PLACE WHERE "FOUL PLAY" OUGHT TO BE.

KERVEGUEN.

For nothing in the world I would not wish to leave you; but, on the other hand, what risks would you not run in your embarking with us?

HELENE.

What, my father, had you then the idea to go without him?

KERVEGUEN.

The ship which I mount belongs to the State, and I should not know how to take with me a man condemned by the French laws.

HELENE.

Unjustly condemned, my father.

KERVEGUEN.

Heaven is my witness that I hope it with all my soul.

my probity in business, I hope my readers will be patient, and consider for once how hard it is, after many months of ardent and successful labor and invention to be not only decried, but slandered and insulted for my pains!

I know no positive antidote to a dishonest comparison, except an honest comparison. A novel is not the same thing as a drama; but no doubt they have three essentials in common. 1. Characters. 2. Incidents. 3. Dialogue. Let us, then, compare the two works on that treble basis.

## CHARACTERS IN "LE PORTE-FEUILLE ROUGE."

1. Duromé, a banker and loose-liver.
2. De Folbert, a daring, middle-aged ruffian, fearing nothing, loving nothing. The trite monster of Melodrama, that never existed in nature.
3. Maurice, a young layman, interesting by his sufferings and adventures, but as to character, utterly commonplace.
4. Faustin, Duromé's servant.
5. Bouquin, a sailor.
6. Le Père Lajoie.
7. Daniel.
8. Garnier, a surgeon.
9. Vestris.
10. Chasse.
11. Le Comte de Kerveguen, captain of a vessel—who has got a daughter.
12. Hélène, daughter of the preceding—a weak, amiable girl, who parts with her virtue the first fair opportunity. This character is undistinguishable from a thousand others in French fiction.
13. Madame Delaunay, aunt to the preceding.
14. Miss Deborah, Hélène's gouvernante.
15. Jacqueline, Faustin's wife.
16. Mademoiselles Dufréne, Duthé, and Fel, young ladies it may be as well not to describe too minutely.
17. Ursule, a lady's-maid.
18. Marcel, a French Cockney, who gets sent to sea, an admirable character: indeed, the only new character in the drama.
19. An ape.

## CHARACTERS IN "FOUL PLAY."

1. Old Wardlaw, an honorable merchant.
2. Young Wardlaw, a weak youth, led into crime by cowardice; a knave tortured by remorse and rendered human by an earnest love.
3. Michael Penfold, a worthy timid old man, cashier to Wardlaw, Senior.
4. Robert Penfold, his son, a clergyman, and a man of rare gifts, muscular, learned, inventive, patient, self-denying, delicate-minded: a marked character, new in fiction.
5. General Rolleston, governor of a penal settlement, and a soldier, who, however, has got a daughter.
6. Helen (daughter of the preceding), a young lady of marked character, hard to win and hard to lose, virtuous under temptation, and distinguished by a tenacity of purpose which is rarely found in her sex. Upon the whole, a character almost new in fiction.
7. Hiram Hudson, captain of the *Prosperine*, a good seaman, who has been often employed to cast away ships. When drunk, he descants on his duty to his employers. This character is based on reality, and is entirely new in fiction.
8. Joseph Wylie, his mate, a man of physical strength, yet cunning: a rogue, but a manly one, goaded by avarice, but stung by remorse.
9. Cooper, a taciturn sailor, with an antique friendship for talkative Welch.
10. Welch, a talkative sailor, with an antique friendship for taciturn Cooper. These two sailors are characters entirely new in fiction. So are their adventures and their deaths.
11. Joshua Fullalove, a character created by myself in "Hard Cash" and reproduced in "Foul Play" with the consent of my collaborator.
12. Burt, a detective.
13. Undercliffe, an expert; a character



based on reality, but entirely new in fiction. He reads handwriting wonderfully, but cannot read circumstances.

14. Mrs. Undercliffe, mother to the expert, a woman who has no skill at handwriting, but reads faces and circumstances keenly.

15. Tollemache, a barrister.

16. Meredith, a barrister of a different stamp.

17. Sarah Wilson.

18. A squinting barber, who sees a man in trouble, and so demands 10s. for shaving him.

19. Adams, a bill broker.

20. Somebody, an underwriter.

21. Nancy Rouse, a lodging-house keeper and washerwoman, and a character new in fiction.

Now it is an axiom in literary criticism that to invent incidents is a lower art than to invent characters; and the writer in the *Mask* fires off this axiom at me. So be it. I find nineteen distinct characters in "Le Portefeuille Rouge," and, out of the nineteen, fifteen bear no shadow of resemblance, in act or word, to any character in "Foul Play;" yet of these fifteen many are the very engines of the play. I find twenty-one distinct characters in "Foul Play," and, of these, seventeen bear no resemblance, either in deed or word, to any character in "Le Portefeuille Rouge." Yet these seventeen are busy characters, and take a large share in the plot. As to the small balance of four persons, the two heroines are so opposite in characters that no writer, whose eye was on the French *Hélène*, could possibly have created the English Helen. The same remark applies to De Folbert and Arthur Wardlaw: they are both rogues; but then they are opposite rogues. Why, they differ as widely as a bold highwayman and an anonymous slanderer.

Setting aside Incident, which awaits its turn in this comparison, I can find no character—except that of General Rolleston—which resembles a character in "Foul Play." Kerveguen is a sailor and the captain of a ship; so far he corresponds, not with General Rolleston, but with the Captain Hudson of "Foul Play." But then this sailor has also a resolute

character and a daughter, and she is the heroine of the drama. Now the soldier Rolleston has also a resolute character, and a daughter who is the heroine of "Foul Play." The plagiarism of character, if any, is manifestly confined to the heroine's father, one character out of thirty-eight and more, who act, and speak, and think, and feel in the two works. How far does this correspond with the impression the sham sampler has sought to create?

We come now to the incidents of the two works, and these, handled on the above honest method, yield precisely the same result. But to work this out on paper would take a volume. Something, however, may be done in a shorter compass by the help of figures. "Foul Play," then, is contained in 25 numbers of *Once a Week*. And these numbers average, I believe, 14 columns each, or rather more. The first number is very busy, and deals with crime and love. The prologue of the French drama does not deal with love at all, and with crime of quite another character. In the story the crime is forgery: and that crime remains part of the plot to the end. In the drama the true generative incident is murder. That murder is committed by a villain who had, previously, forged; but the previous forgery could be omitted without affecting the plot. The fundamental incident of the drama is murder. The two fundamental incidents

of "Foul Play" are forgery, and the scuttling of a ship to defraud the underwriters.

From No. 1 to No. 4, "Foul Play," though full of incidents, has not an idea in common with the drama. In the fourth number the two works have this in common, that the hero and heroine are on board one ship, and that ship gets lost. But in the drama the father is there, and in the story he is not; the hero and heroine are brought on board by entirely different incidents in the two works, and the French ship is fired by mere accident. Not so the English ship: that is scuttled by order of the heroine's lover: and so the knave is made the means of throwing the woman he loves upon the protection of the friend he has ruined. This is invention and combination of a high order. But calling upon an unforeseen accident to effect a solitary purpose, and then dismissing the accident forever, is just what any fool can do at any moment, and it is all the authors of the French drama have attempted to do in that situation. From the 4th number to the last page but one of the 17th number, "Foul Play" diverges entirely from the drama, and the drama from "Foul Play." The existence of those thirteen numbers (more than one half of the entire story) is virtually denied by the sham sampler in these words:

"Construction and incidents are French, and taken from the defendant's drama."

Yet these thirteen numbers are the most admired of the whole. They are the poem of the work. They deal with the strange, the true, the terrible, and the beautiful. Here are to be found the

#### IN THE DRAMA

Hélène sides at once with Maurice, and argues the case with her father, and Maurice is almost passive. Maurice is never master of the situation. On the contrary, he tries to follow Hélène on board, and is shot like a dog in the attempt. Hélène never undertakes to clear him. All is left to accident.

only numbers which I received complete in form as well as in substance from my accomplished collaborateur, and it was this half of the work which drew in one week *forty notices from American journals*. Those journals, commenting on the adventures and contrivances of certain persons wrecked on the Auckland Islands, remarked that *History was imitating fiction*, and so sent their readers to "Foul Play." History will never imitate "Le Portefeuille Rouge," any more than I have descended to imitate "Le Portefeuille Rouge." At the end of the 17th number of "Foul Play," General Rolleston lands on the unknown island, and finds his daughter and the innocent convict living alone together. And in the 9th scene of the 2d act of "Portefeuille Rouge," Kervegnen comes with other characters, and finds his daughter, the innocent convict, and Marcel. This is a good and generative situation, and looks like plagiarism in the novel. But the moment we come to the treatment, the acts and the words of all the three interlocutors are so remarkably different in the two works, that no honest and discerning man can believe the writer of that scene in "Foul Play" had his eye on the drama. In the story the father and daughter meet alone with wild raptures equal to the occasion; a sacred scene. In the play they meet before witnesses, and the French dramatists with very bad judgment have allowed the low comedian to be present. He opens his mouth, and of course the scene goes to the devil at once.

In the subsequent dialogue and business, I find great variations.

#### IN THE NOVEL

Helen puts Robert Penfold on his defense, and on his convincing her he is innocent, declares her love. Then Robert Penfold becomes master of the situation, and it is by his own will, and high sense of honor, he remains, and the parting is affected. And Helen and her father undertake to clear him in England; which promise, on Helen's part, with its many consequences, is the very plot of the sequel.

From this to the end of the work, we have seven numbers of "Foul Play," and two acts of "Portefeuille Rouge," and not an idea in common between the two. So that twenty-three numbers out of twenty-five, "Foul Play," have not an idea in common with the French drama; two numbers out of twenty-five have each a bare situation which looks like one in the drama, but on closer inspection prove to be handled so differently that the charge of plagiarism is untenable.

"Foul Play" is illustrated by Mr. Du Maurier. The said Du Maurier is a good actor, and has dramatic tendencies. He is sure to have picked out some of the more dramatic situations in "Foul Play" for illustration, and, if the incidents of "Foul Play" came from the "Portefeuille Rouge," Mr. Du Maurier's sketches would serve to illustrate that drama. I have examined his illustrations, twelve in number; I cannot find one that fits any scene or incident in the French drama. If they were all pasted into the "Portefeuille Rouge," no reader of that drama would be able to apply any one of them to anything in the whole composition. Bring your minds to bear on this fact. It is worth study.

And now I come to the dialogue of the works. Here the comparison is a blank. There is nothing to compare. The writer in the *Mask* dared not put seventy speeches from "Foul Play" by the side of his seventy speeches from "Portefeuille Rouge." He dared not deal thus honestly with even seven speeches. And shall I tell you why? Because there is not one line in "Foul Play" that corresponds with a line in "Portefeuille Rouge."

Shakespeare, in the "Merry Wives of Windsor," has the following line:

"I'll rather be unmannerly than troublesome."

And Molière, in his "Bourgeois Gentilhomme," has this line:

"J'aime mieux être incivil qu'importun."

I can find no such apparent plagiarism in all the pages of "Foul Play" and "Le Portefeuille Rouge."

I conclude this subject with the following statements of matters known to me:—

1. I have carefully examined all the MS. contributed to "Foul Play" by Mr. Dion Boucicault. This MS. consists of two or three numbers complete in form as well as in substance; and also of a great many plans of numbers, sketches, materials and inventive ideas of singular merit and value. In all this MS. I find only one word that can have come from "Portefeuille Rouge," and that word is—Helen.

2. I myself never saw "Le Portefeuille Rogne" until after the article in the *Mask* appeared—never saw it nor heard of it.

3. The one valuable situation the two works contain in common may have come to me from Mr. Boucicault, but if so it came *in conversation*, along with many other things quite as good, and the guilt, if any, of selecting the naked idea, which is all we have used, lies with me, who never saw the "Portefeuille Rogue."

4. I handled, treated, and wrote every line, on which the charge of unprincipled plagiarism has been founded, and I have got my MS. to prove it.

5. Any person connected with literature can compare the "Portefeuille Rouge" and "Foul Play" at my house; and I shall be grateful to any literary brother who may have the honesty and patience to do it.

6. The writer in the *Mask* has done this, and having done it, he must have known that his charge of unprincipled plagiarism was false and disingenuous. Yet, knowing this, he was not content to do me a moderate injury; it was not enough to defraud an honored writer of his reputation as an inventor: he must attack my character as a gentleman, and as a fair dealer with publishers and managers. On this account I am going to make an example of him. I shall sue him for libel, and, when we meet in the Court of Common Pleas, I shall repeat upon my oath as a Christian all the statements, which now I make in these columns upon my honor as a gentleman.

I shall ask leave to return to the sham

sample swindle on some other occasion, and in a way that will be less egotistical and more interesting to your readers. It is the most potent swindle in creation, and all honest writers should combine to expose it.

CHARLES READE.

2 ALBERT TERRACE, KNIGHTSBRIDGE.

August 13th, 1868.

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### "IT IS NEVER TOO LATE TO MEND."

FROM THE "READER," October 28th, 1865.

SIR—You have published (inadvertently, I hope) two columns of intemperate abuse aimed at my drama, and mendacious personalities leveled at myself.

The author of this spite is not ashamed to sympathize with the heartless robbers from whom justice and law have rescued my creation and my property.

(*Query*—Was he not set on by those very robbers?)

He even eulogizes a ruffian who, on the 4th October, raised a disturbance in the Princess's Theater, and endeavored to put down my play by clamor, but was called to order by the respectable portion of the audience.

Have you any sense of justice and fair play where the party assailed is only an author of repute, and the assailant has the advantage of being an obscure scribbler? If so, you will give me a hearing in my defense. I reply in one sentence to two columns of venom and drivel. I just beg to inform honest men and women that your *anonymus contributor*, who sides with piratical thieves against the honest inventor, and disparages Charles Reade, and applauds one Tomlins—is *Tomlins*.

I am,

Your obedient servant,

CHARLES READE.

92 ST. GEORGE'S ROAD, SOUTH BELGRAVIA,

October 21st, 1865.

### THE "EDINBURGH REVIEW" AND THE "SATURDAY REVIEW."

A LETTER.

SATURDAY REVIEW—You have brains of your own, and good ones. Do not you echo the bray of such a very small ass as the *Edinburgh Review*. Be more just to yourself and to me. Reflect! I must be six times a greater writer than ever lived, ere I could exaggerate suicide, despair, and the horrors that drove young and old to them; or (to vary your own phrase) write "a libel upon hell."

Yours sincerely,

CHARLES READE.

GARRICK CLUB.

July 22d, 1857.

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### THE PRURIENT PRUDE.

SIR—There is a kind of hypocrite that has never been effectually exposed, for want of an expressive name. I beg to supply that defect in our language, and introduce to mankind the PRURIENT PRUDE. Modesty in man or woman shows itself by a certain slowness to put a foul construction on things, and also by unobtrusively shunning indelicate matters and discussions. The "PRURIENT PRUDE," on the contrary, itches to attract attention by a parade of modesty (which is the mild form of the disease), or even by rashly accusing others of immodesty (and this is the noxious form).

"Doctor Johnson," said a lady, "what I admire in your dictionary is that you have inserted no improper words."

"What! you looked for them, madam?" said the doctor.

Here was a "PRURIENT PRUDE," that would have taken in an ordinary lexicographer.

The wickeder kind of "PRURIENT PRUDE" has committed great ravages in our English railways, where the carriages, you must know, are small and seldom filled. Respectable men found themselves alone with a shy-looking female, addressed a civil remark to her, were accused at the end of the journey of attempting her virtue, and punished unjustly, or else had to buy her off: till at last, as I learn from an article in the *Saturday Review*, many worthy men refused to sit in a carriage where there was a woman only; such terror had the "PRURIENT PRUDE" inspired in manly breasts. The last of these heroines, however, came to grief; her victim showed fight; submitted to trial, and set the police on her: she proved to be, as any one versed in human nature could have foretold, a woman of remarkably loose morals; and she is at this moment expiating her three P's—Prudery, Prurience, and Perjury—in one of her majesty's jails.

Some years ago an English baronet was nearly ruined and separated from his wife by one of these ladies. He was from the country, and by force of habit made his toilet nearer the window than a Londoner would. A "PRURIENT PRUDE" lurked opposite, and watched him repeatedly; which is just what no modest woman would have done once; and, interpreting each unguarded action by the light of her own foul imagination, actually brought a criminal charge against the poor soul. The charge fell to the ground the moment it was sifted; but in the meantime, what agony had the "PRURIENT PRUDE" inflicted on an innocent family!

Unfortunately the "PRURIENT PRUDE" is not confined to the female sex. It is not to be found among men of masculine pursuits; but it exists among writers. Example: a divorce case, unfit for publication, is reported by all the English journals. Next day, instead of being allowed to die, it is renewed in a leader. The writer of this leader begins by complaining of the courts of law for giving

publicity to *Filth*.—(N.B. the ridiculous misuse of this term, where not filth but crime is intended, is an infallible sign of a dirty mind, and marks the "PRURIENT PRUDE.") After this flourish of prudery, Pruriens goes with gusto into the details, which he had just said were unfit for publication. Take down your file of English journals and you will soon lay your hand on this variety of the "PRURIENT PRUDE." A harmless little humbug enough.

But, as among women, so among writers, the "PRURIENT PRUDE" becomes a less transparent and more dangerous impostor, when, strong in the shelter of the Anonymous, which hides from the public his own dissolute life and obscene conversation, he reads his neighbor by the light of his own corrupt imagination, and so his prurient prudery takes the form of slander, and assassinates the fair fame of his moral, intellectual, and social superior.

Now the five or six "Prurient Prudes" who defile the American Press, have lately selected me, of all persons, for their victim. They are trying hard to make the American public believe two monstrous falsehoods: first, that they are pure-minded men; secondly, that I am an impure writer.

Of course, if these five or six "Prurient Prudes" had the courage to do as I do, sign their names to their personalities, their names and their characters would be all the defense I should need. But, by withholding *their* signatures they give the same weight to their statements that an honest man gives by appending *his* signature, and compel me, out of respect to the American public, whose esteem I value, to depart from the usual practice of authors in my position, and to honor mere literary vermin with a reply. The case, then, stands thus. I have produced a story called "Griffith Gaunt, or Jealousy." This story has, ever since December, 1865, floated *The Argosy*, an English periodical, and has been eagerly read in the pages of *The Atlantic Monthly*. In this tale I have to deal, as an artist and a scholar, with the very period Henry Fielding has described—to the sat-

isfaction of "Prurient Prudes"; a period in which manners and speech were somewhat blunter than nowadays; and I have to portray a great and terrible passion, Jealousy, and show its manifold consequences, of which even Bigamy (in my story) is one, and that without any violation of probability. Then I proceed to show the misery inflicted on three persons by Bigamy, which I denounce as a crime. In my double character of moralist and artist, I present, not the delusive shadow of Bigamy, but its substance. The consequence is, that instead of shedding a mild luster over Bigamy, I fill my readers with a horror of Bigamy, and a wholesome indignation against my principal male character, so far as I have shown him. Of course "Griffith Gaunt," like "Hard Cash," is not a child's book, nor a little girl's book: it is an ambitious story, in which I present the great passions that poets have sung with applause in all ages: it is not a boatful of pap; but I am not paid the price of pap. By the very nature of my theme I have been compelled now and then to tread on delicate ground: but I have trodden lightly and passed on swiftly, and so will all the pure-minded men and women who read me. No really modest woman will ever suffer any taint by reading "Griffith Gaunt," unless, indeed, she returns to its perusal, unsexed, and filled with prurient curiosity, by the foul interpretations of the "Prurient Prudes." Then come a handful of scribblers, whose lives are loose and their conversation obscene: they take my text, and read it, not by its own light, but by the light of their own foul imaginations: and, having so defiled it by mixing their own filthy minds with it, they sit in judgment *on the compound*. To these impostors I say no more. The two words, "Prurient Prude," will soon run round the Union, and render its citizens somewhat less gullible by that class of impostor. One person, however, has slandered me so maliciously and so busily, that I am compelled to notice him individually, the more so as I am about to sue an English weekly for merely quoting him. The editor of a New York weekly

called *The Round Table* has printed a mass of scurrility direct and vicarious to this purport:

1. That "Griffith Gaunt" is an indecent publication;
2. That it is immoral;
3. That, like other novelists, the author deals in adultery, bigamy, and nameless social crimes;
4. But that, unlike the majority of my predecessors, I side with the crimes I depict;
5. That the modesty and purity of women cannot survive the perusal of "Griffith Gaunt";
6. That this story was declined by some of the lowest sensational weekly papers of New York, *on the ground that they did not dare to undertake its publication.*
7. Passing from personal to vicarious slander, he prints the letter of an animal calling itself G. S. H., who suggests that some inferior writer wrote "Griffith Gaunt," and that I lent my name to it for a foreign market, and so he and I combined to swindle the Boston publishers.—This, in England, we call felony.

Now, sir, I have often known some obscure dunce, who had the advantage of concealing his nameless name, treat an esteemed author with lofty contempt in the columns of a journal, and call his masterpiece a sorry production. I myself am well accustomed to that sort of injustice and insolence from scribblers, who could not write my smallest chapter, to save their carcasses from the gallows, and their souls from premature damnation. But the spite and vanity of our inferiors in the great, profound, and difficult art of writing, are generally satisfied by calling us dunces, and bunglers, and coxcombs, and that sort of thing.

In all my experience I never knew the Press guilty of such a crime as the editor of *The Round Table* has committed. It is a deliberate attempt to assassinate the moral character of an author and a gentleman, and to stab the ladies of his own family to the heart, under pre-

tense of protecting the women of a nation from the demoralizing influence of his pen.

You will see at once that I could not hold any communication with *The Round Table* or its editor, and I must, therefore, trust to American justice and generosity, and ask leave to reply in respectable columns.

In answer to statements 1, 2, 4, and 5, I pledge the honor of a gentleman that they are deliberate and intentional falsehoods, and I undertake to prove this before twelve honest American citizens, sworn to do justice between man and man.

As to No. 3, I really scarce know what my slanderer means. Griffith Gaunt, under a delusion, commits Bigamy: and of course Bigamy may by a slight perversion of terms be called Adultery. But no truthful person, attacking character, would apply both terms to a single act. Is Bigamy more than Polygamy? And is Polygamy called that, and Adultery too, in every district of the United States?

As to "the nameless social crimes," what does the beast mean? Did he find these in his own foul imagination, or did he find them in my text? If it was in the latter, of course he can point to the page. He shall have an opportunity.

Statement 6, is a lie by way of equivocation. The truth is, that before "Griffith Gaunt" was written, an agent of mine proposed to me to sound some newspaper proprietors, who had hitherto stolen my works, as to whether they would like to buy a story of me, instead of stealing it. I consented to this preliminary question being put, and I don't know what they replied to my agent. Probably the idea of buying, where they had formed a habit of stealing, was distasteful to them. But this you may rely on, that I never submit a line of manuscript to the judgment of any trader whatever, either in England or in America, and never will. Nothing is ever discussed between a trader and me except the bulk and the price. The price is sometimes a high one; but always a fair

one, founded on my sales. If he has not the courage to pay it, all the worse for him. If he has, the bargain is signed, and then and not till then, he sees the copy.

I never intrusted a line of "Griffith Gaunt" to an agent. I never sent a line of it across the Atlantic to any human being, except to the firm of Ticknor & Fields: and even to that respectable firm, one of the partners in which is my valued friend, I did not send a line of it until they had purchased of me the right to publish it in the United States. And this purchase was made on the basis of an old standing agreement.

Compare these facts with the impression a miserable prevaricator has sought to create, to wit, that the proprietor of some low journal was allowed to read the *manuscript, or unpublished sheets*, of "Griffith Gaunt," and declined it on the score of *morality*.

Statement 7, which accuses me of a literary felony, is a deliberate, intentional falsehood. *The Argosy* is sold in New York in great numbers, price sixpence. The editor of *The Round Table* is aware of this, and has seen "Griffith Gaunt" in it, with my name attached; yet he was so bent on slandering me by hook or by crook, that he printed the letter of G. S. H. without contradiction, and so turned the conjecture of a mere fool into a libel and a lie.

I shall only add that I mean to collar the editor of *The Round Table*, and drag him and his slanders before a jury of his countrymen. He thinks there is no law, justice, or humanity for an Englishman in the great United States. We shall see.

Pending the legal inquiry, I earnestly request my friends in the United States to let me know who this editor of *The Round Table* is, and all about him, that so we may meet on fair terms before the jury.

All editors of American journals who have any justice, fair play, or common humanity to spare to an injured stranger, will print this letter, in which one man defends himself against many; and will

be good enough to accept my thanks for the same in this writing.

CHARLES READE.

3 ALBERT TERRACE.

HYDE PARK, LONDON.

P. S.—I demand as my right the undivided honor of all the insults that have been misdirected against Messrs. Ticknor & Fields, of Boston. Those gentlemen have had no alternative: they could not bow to slander, and discontinue "Griffith Gaunt" in *The Atlantic Monthly*, without breaking faith with me, and driving their subscribers to *The Argosy*. The whole credit, and discredit, of "Griffith Gaunt," my masterpiece, belongs to me, its sole author, and original vender.

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## SECOND-HAND LIBEL.

TO THE EDITOR OF THE "GLOBE."

SIR—You have read my letter to the American Press, cited one paragraph, and perverted that from its true intention, by suppressing its context. By this means you exaggerate my arrogance, and stir the bile of the publishers. I must request you to be more scrupulous, and to print the whole truth. *The Round Table* had stated that "Griffith Gaunt" was declined by some of the lowest sensational weekly papers of New York, on the ground that they did not dare to undertake its publication." This was a monstrous piece of insolence; and I had to show a distant public that it *must* be a falsehood. But this I had no means whatever of doing, except by revealing my real way of treating with traders at home and abroad. You are welcome to blarney the publishers by telling them that artists (penny-a-liners excepted) write for money, but publishers publish for glory. I cannot go quite this

length with you, not wanting their advertisements; but still I do not wish to affront these gentlemen without provocation, and so I insist on your printing this explanation, which your own disingenuousness has rendered necessary.

On the 17th October "Griffith Gaunt" was published in three volumes; on the 19th a copy was probably in your hands. On that day you revived and circulated a slander that tends to injure its sale very seriously, and to destroy the personal character of its author: you announced in your columns that "*an American critic declares the story to be indecent and immoral; and that, on this point, having vainly attempted to read it, you offer no opinion.*"

Now it may be very polite of cold hashed mutton to affect a singular contempt for venison: but in your case it is not reasonable: you are familiar with drudgery; you contrive to read dozens of novels that are the very offal of the human mind: ay, and to praise them too. You know why.

Now, advertisements are a fine thing; but justice is a finer, whatever you may think. And justice required of you either to hold your tongue about "Griffith Gaunt," or else to read it.

But even assuming that you really had not the brains to read "Griffith Gaunt" for pleasure, nor yet the self-respect and prudence to wade through it before lending your columns to its defamation, at least you have read my letter to the American press: and, having read that, you cannot but *suspect* this charge of immorality and indecency to be a libel and a lie. Yet you have circulated the calumny all the same, and suppressed the refutation.

I am afraid the truth is, you have got into your head that the law will allow you to indulge a perverse disposition, by defaming and blackening the moral character of a respected author, provided you use another man's blacking. Pure chime-ra! The law draws no such distinction. It serves tale-bearers with the same saucé as tale-makers; it protects honest men alike against the originators and the



reckless circulators of calumny. Believe me, your only chances to avoid very serious consequences are two: you must either meet me before a jury, and justify the American libel you have Anglicized and circulated; or else you must contradict it at once, and apologize to the man you have wronged. I offer you three days, to read "Griffith Gaunt" and decide upon your course. If, at the end of that time, you do not distinctly and categorically state that "Griffith Gaunt" is *not* an indecent and immoral book—and apologize to its author—I shall sue the proprietor of the *Globe*, as I am suing the proprietor of the *London Review*, for composing and printing an American libel with English type, and then publishing and selling it in English columns; in other words, for collecting foreign dirt with English hands, and flinging it upon the personal character of an English citizen.

CHARLES READE.

5 ALBERT TERRACE,  
October 22d, 1866.

The editor of the *Globe* having made public comments on this letter, yet kept the letter private, the writer requests less unscrupulous editors to repair this injustice.

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## "FACTS MUST BE FACED."

TO THE EDITOR OF THE "TIMES."

SIR—The *Times* of the 24th of August contains a notice of "A Terrible Temptation," done upon a new plan. It is a careful synopsis of all the main incidents in my story, only my abridger has divested them of every charm. It is rather hard my name should be attached to a bad story told by another man when I have told a goodish one with the same materials; but I console myself by re-

fecting that the same ingenious process applied to "Homer's Iliad" would prove it a contemptible work. There is something more serious, reflecting on me both as a writer and a man, which I cannot leave uncontradicted in columns so powerful as yours. My abridger has said that I have written about things which should not be spoken of, much less written about—alluding to my sketch of Rhoda Somerset—and that innocent girls ought not to be informed on such subjects. He even hints that mothers would do well to forbid my first volume to their unmarried daughters. You must admit, sir, this is a very serious thing to say in print, and very cruel to a writer of my age; then do, please, give me fair play for once, and let me be heard in reply. The character of Rhoda Somerset was not invented by me, but copied from a master hand. It was you who first introduced her, ponies and all, to the public, on the third day of July, 1862, in an admirable letter, headed "Anonyma." On another occasion you discussed the whole subject, day after day, in leaders and a vast correspondence, so that for one lady who knows about the *demi-monde* from my pages, twenty know a great deal more from yours. Should this lose you the esteem of my abridger, permit me to offer you, as a small substitute, the thanks of a better judge. You did your duty to the public in 1862, as you had often done it before, and were true to your own invaluable maxim, "Facts must be faced." For 18 years, at least, the journal you conduct so ably has been my preceptor, and the main source of my works—at all events of the most approved. A noble passage in the *Times* of September 7 or 8, 1853, touched my heart, inflamed my imagination, and was the germ of my first important work, "It is Never Too Late to Mend." That column, a monument of head, heart, and English, stands now dramatized in my pages, and embellishes the work it had inspired. Some years later you put forth an able and eloquent leader on private asylums, and detailed the sufferings there inflicted on persons known to you. This took root in me, and

brought forth its fruit in the second volume of "Hard Cash." Later still, your hearty and able, but temperate leaders, upon trades unions and trade outrages incited me to an ample study of that great subject, so fit for fiction of the higher order, though not adapted to the narrow minds of bread-and-butter misses, nor of the criticasters who echo those young ladies' idea of fiction and its limits, and thus "Put Yourself in His Place" was written. Of "A Terrible Temptation," the leading idea came to me from the *Times*—viz., from the report of a certain trial, with the comments of counsel, and the remarkable judgment delivered by Mr. Justice Byles. The character of Rhoda Somerset I culled from your pages, and having observed with what firmness, yet coldness, you treated that character and topic, I have kept your method in view, and, at all events, tried to imitate it. Whatever warmth I have shown is in the scenes of virtuous love; in the Somerset's scenes I am cold and sarcastic. Up to the period of her repentance how do I treat this character? Do I whitewash the bussy, or make her a well-bred, delicate-minded woman, as your refined and immoral writers would? I present her illiterate, coarse, vain, with good impulses, a bad temper, and a Billingsgate tongue. In close contrast to this unattractive photograph I am careful to place my portrait of an English virgin, drawn in the sweetest colors my rude art can command, that every honest reader may see on which side my sympathies lie, and be attracted to virtue by the road of comparison. Believe me, sir, a thousand innocent girls are at this moment being corrupted by writers of their own sex, with novels instinctively adapted to the female reader, to her excessive sexuality, and her sense of propriety. These writers, being women, know how to work on the former without alarming the latter, and so, by fine degrees and with soft insidious pertinacity, they reconcile their female readers to illicit love, and shed a mild luster over adultery itself. Yet so destitute of the true critical faculty are the

criticasters of the day that these canny corrupters of female youth escape censure; it has gone astray after a writer in whose hands vice startles and offends, not captivates. My pen has never corrupted a soul; it never will, it never can, till water shall run uphill.

Should this argument fall into abler hands than an abridger's, I expect to be told, not that it is the duty of all writers to ignore certain vices, and so do their best to perpetuate them, but that many subjects open to the journalist are closed to the novelist. This is true and reasonable. The answer is—journals must, of necessity, report in their small type some crimes and vices quite unfit to be mentioned in a novel; but that a journalist has any right to put into his leaded type and to amplify, discuss, and dwell upon any subject whatever, and that the poet or the novelist has not an equal right to deal with that subject in fiction, this is monstrous and the mere delusion of a rabid egotism.

Since, therefore, I have taken Anonyma from your hands and have presented her in no voluptuous scenes, and have made her a repulsive character until she repents, no mother need forbid my book to her daughter; at all events, until she has forbidden her daughters to enter Hyde Park and the *Times* to enter her drawing-room, and has locked up every Bible on her premises.

I have the honor to be, sir,

Your obedient servant and pupil,

CHARLES READE.

2 ALBERT TERRACE, KNIGHTSBRIDGE,

August 26th, 1871.

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SIR—Those who read the late controversy between the *Times* and me must, I think, have been surprised and somewhat shocked—if they admire the *Times* as much as I do—at its rude and ungenerous reply to a courteous letter, in which I taught it that great lesson of superior minds—appreciation. A retort so con-

ceited, so silly, and so rude, entitled me to a reply. I sent a short one; it is suppressed. This is foul play: and, as Englishmen in general abhor foul play, I venture to ask you to give publicity to these few lines, which, mild as they are, the editor of the *Times* had not the courage to face.

“FACTS MUST BE FACED.”

SIR—My generous tribute to the *Times* referred to those able men who write in the *Times* on public questions—not to the small fry, who write about literature because they cannot write literature. I touched my hat to the Tritons of the *Times*, not to the minnows: yet one of these latter has coolly adopted the compliment, and actually made it a handle for impertinence that outrages truth and common decency. This is base; and I wonder you could be betrayed into lending your name to it. Where gentlemen are concerned, appreciation on the one side begets decent civility on the other. I shall not descend to bandy invectives with my inferior, but shall pick his one grain of argument out of his peck of scurrility. I have driven him from his first position, which was, that nobody ought to print anything about Anonyma. Now that he finds who first introduced her to the public, he sings quite another song. “Journals,” says he, “deal in such facts as these, but not in fictions.” This is a distinction without a difference. It does not matter one straw whether a young lady reads facts about Anonyma, or figments founded on facts, for the effect on her mind is precisely the same in both cases. The distinction is not only muddle-headed, but inapplicable: for the *Times* has done a little fiction in this thing. Of the letters printed in the *Times* about the *Demi-monde*, a good many were written to order by the staff of the *Times*, though signed “Paterfamilias,” “A Belgravian Mother,” or what not. Now that is fiction—fiction as pure as anything in “A Terrible Temptation.” The late Mr. Joseph Addison did mightily affect this form; he

wrote himself letters from coquettes and other sprightly correspondents, and so enlivened his didactic columns; for Fiction improves whatever it touches. Your reviewer now hangs to his chimera by one thread. “Ours,” says he, “are public duties; his are private.” So much for young gentlemen writing about literature with no knowledge of the business. “Private!” Why, my English circulation is larger than that of the *Times*; and in the United States three publishers have already sold three hundred and seventy thousand copies of this novel—which, I take it, is about thirty times the circulation of the *Times* in the United States, and nearly six times its English circulation.

Writing for so vast a variety of human beings, for more than one great nation, and for more than one generation, I cannot afford to adopt novel and narrow views of my great art: I cannot consent to make myself, by artificial contraction, smaller than the journalists. The world is big enough for a few creators as well as for a shoal of commentators. I do not howl because two thousand journalists deal, in their leaded type, with Lunacy, Prisons, Trades Unions, Divorce, Murder, Anonyma, and other great facts; and those who aspire to represent so large a body of sensible men, should bridle their egotism, discourage their pitiable jealousy, and cease to howl because five or six masters of Fiction have the judgment and the skill to weave the recorded facts, and published characters, of this great age, into the forms of Art.

Your obedient servant,

CHARLES READE.

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DIALOGUE BETWEEN A JUDGE  
AND A JAILER.

TO THE EDITOR OF THE “DAILY TELEGRAPH.”

SIR—At Christmas imagination runs rife; Pantomimes threaten, wherein Wis-

dom will be kept within bounds by Fancy; and even in your columns I have just read a Dream, and found it interesting. May I then profit by your temporary leniency and intrude into the sacred *Telegraph* a dialogue? It is imaginary, but not idle: it may do good, and make Power think instead of thinking it thinks—a common but hurtful habit.

SCENE—*The Old Bailey.*

*The Judge.* Is the jailer present?

*Mr. Holdfast.* Here, my lord.

*Judge.* I sentence this man to four months' imprisonment, with hard labor: you understand?

*Holdfast.* Perfectly, my lord. You mean unwholesome labor, as much as he can do and a little more. So then, when he falls short, we reduce his diet to increase his strength, since it has proved unequal: this to be continued in a circle, and take his bed every now and then and let him lie on a plank.

*Judge.* What! hard labor, yet short diet, with the addition of cold at night and broken rest! Why, this is not Detention, it is Destruction—either to man or beast. No, sir, I do not condemn this man to imprisonment for life—he is not a murderer—I give him just four months, no more, no less: and in that sentence it is clearly implied that at the end of four months he is to come out, improved in his habits by labor, and in his body by regular meals, of simple, nourishing food, with no alcohol.

*Holdfast.* Excuse me, my lord: the Act of Parliament authorizes a jailer to reduce a prisoner's diet, and inflict other punishments.

*Judge.* Ay, at safe intervals; but not in quick repetition, nor in unreasonable conjunction—hard labor on the heels of privation, and cold on the top of both. These things *united* soon exhaust the body. Your Act of Parliament contains no clause, that can be read in a court of law, to repeal the law of England regarding so great a matter as homicide. That immortal law, which was here before

these little trumpery Acts of Parliament, made to-day to be repealed to-morrow, and will be here after Parliament itself has run its course, deals with the case thus: If A, having the legal charge of B, and keeping him in *duress*, so that he cannot possibly obtain the necessaries of life elsewhere, subjects him to privation of food, rest, etc., and otherwise so shortens his life directly or indirectly by sheer exhaustion of the body, or by any disease which is a natural result of multiplied privations and hardships, A can be indicted for a felony: and he will be tried, not by any officer of State assuming unconstitutional powers, but constitutionally, by the queen in the person of her judge, and by the country in the person of its jury.

*Holdfast.* They would never find a jailer guilty, not if a dozen of the scum died in their term of imprisonment.

*Judge.* It is not for me to say. They are getting more intelligent, like the rest of us. Certainly it would be their duty to demand good evidence, and the true facts are hard to get at in a jail. Acton and Fleetwood destroyed many prisoners, yet were acquitted on trial. But at all events dismiss from your mind that a jailer can plead the Act of Parliament, or any purely legal defense, to bloodless destruction of a British subject in *duress*. Keep strictly to my sentence. It is not only the sentence of the queen and the law, but it is expressly proportioned to the verdict of the country. Four months in a house of detention, not destruction, a house of correction, not a subtle shambles. The sentence has two limits, both equally absolute. If, during the four months, you turn this man into the street, you are indictable for a misdemeanor; if, during the four months, you thrust him cannily into his grave, you are indictable for a felony; and, should I be the judge to try you, it will be my duty to tell the jury that you took this prisoner, not from the clouds, nor from any Government official, with no power to sentence man, woman, nor child, where I sit, but from me; and that I sentenced him, in your

hearing, to four months' imprisonment, and not to imprisonment for life.

I am, sir,

Your obedient servant,

CHARLES READE.

KNIGHTSBRIDGE, CHRISTMAS DAY.

### NOTE TO A SICK FRIEND.

My friend, with age come grief and care  
To every son of man,  
Sickness or sorrow, hard to bear,  
Though life is but a span.

Since last we met, my heart has bled,  
And will bleed till I die ;  
And you, confined to a sick bed,  
In pain and languor lie.

We all should do the best we may  
To cheer a friend in need.  
Expect to-morrow, or next day,  
A visit from

CHARLES READE.

19 ALBERT GATE, KNIGHTSBRIDGE.

### A BAD FALL.

TO THE EDITOR OF "FACT."

SIR—I sometimes get provoked with the British workman—and say so. He comes into my house to do a day's work, and goes out again to fetch the tool he knew he should want, and he does not come back till after breakfast. Then I think I have got him. But no : he sharpens his tools and goes out for a whet. Even when he is at work he is always going into the kitchen for hot water, or a hot coal, or the loan of a pair of tongs, or some other blind. My maids, who, before he came, were all industry and mock

modesty, throw both these virtues out of window, and are after him on the roof, when he is not after them in the kitchen. They lose their heads entirely, and are not worth their salt, far less their wages, till he is gone, and that is always a terribly long time, considering how little he has to do. For these reasons, and because whenever he has been out on my roof, the rain comes in next heavy shower, I have permitted myself to call him in print "the curse of families."

Then he strikes, and combines, and speechifies, and calls the capital, that feeds him, his enemy ; and sometimes fights with the capital of a thousand against the capital of a single master, and overpowers it, yet calls that a fight of labor against capital. Then he demands short time, which generally means more time to drink in, and higher wages, which often means more money to drink with. Thereupon I lose my temper, rush into print, and call the British workman the British talk-man and the British drink-man.

But it must be owned all this is rather narrow and shallow. "Where there's a multitude there's a mixture," and a private gentleman in my position does not really know the mass of the workmen, and their invaluable qualities.

One thing is notorious—that in their bargains with capital they are very lenient in one respect, they charge very little for their lives ; yet they shorten them in many trades, and lose them right away in some.

Even I, who have been hard on them in some things, have already pointed out that instead of labor and capital the trades ought to speechify on life, labor, and capital : and dwell more upon their risks, as a fit subject of remuneration, than their professed advocates have done.

Is it not a sad thing to reflect, when you see the scaffolding prepared for some great building to be erected either for pious or mundane purposes, that out of those employed in erecting it some are sure to be killed !

All this prolixity is to usher in a simple fact, which interests me more than the

petty proceedings of exalted personages, and their "migrations from the blue bed to the brown": and some of your readers are sure to be of my mind.

The Princess's Theater, Oxford Street, is being reconstructed. The walls, far more substantial than they build nowadays, are to stand, but the old interior is demolished, and the roof heightened.

Sullivan, a young carpenter, was at work with his fellows on a stage properly secured. They wanted some ropes that lay on another stage, and sent him for them. Between the stage was a plank, which he naturally thought had been laid to walk on. He stepped on it—it was only a half-inch board. It snapped under his weight like a carrot, and he fell through in a moment.

He caught at a projection, but merely tore his fingers, and descended into space with fearful velocity.

The height was fifty feet—*measured*.

The thing he fell on was a hard board, lying on hard ground. Those who saw him fall, and heard his one cry of horror, had no hope of taking up anything from the ground below but a battered corpse with broken back, fractured skull, and shattered ribs.

Thirty-five feet below the place he fell from, a strong bolt, about an inch in diameter, and four feet long, protruded from the wall almost at right angles, but with a slight declension downward.

The outer end of this protruding iron just caught Sullivan by the seat, ripped up his clothes, and tore his back, and partly broke his fall. Nevertheless, such was its violence that he bounded up from the board he eventually fell upon, and was found all of a heap in a hollow place close by, senseless, and almost pulseless.

He was taken to the Middlesex Hospital. There he came to his senses and his trouble. His pulse was soon over 100. His temperature 108—a very alarming feature. This, however, has subsided, and they have got his pulse to 98, but he cannot eat; his eyes cannot bear the light. There are one or more severe wounds upon his back parts, and much reason to fear injury to the spinal column. He is

in danger; and, if he survives, which I think very possible, it is to be feared he will never be able to walk and work again. These, sir, are the dire realities of life; and very fit to be admitted into your graver columns. Here is a sad fact and a curious fact.

Sullivan was a handsome young fellow, just beginning the world. In a moment there he lies a cripple and a wreck, and that is a sad thing for any feeling heart to think of. The bolt which saved him from immediate death is a curious fact. It is still to be seen dangling from the wall as it did, when it ripped up the workman's clothes, furrowed his back, and broke his fall.

Will it prove his friend or his enemy, that piece of iron? The enemy of his body if it makes him a cripple instead of a corpse; but the friend of his soul if he reads his own story right; wherefore I hope some servant of God will go to his bedside with the true balm of Gilead.

I am sir,

Yours faithfully,

CHARLES READE.

July, 1880.

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## A DRAMATIC MUSICIAN.

TO THE EDITOR OF THE "ERA."

SIR—There died the other day in London a musician, who used to compose, or set, good music to orchestral instruments, and play it in the theater with spirit and taste, and to watch the stage with one eye and the orchestra with another, and so accompany with vigilant delicacy a mixed scene of action and dialogue: to do which the music must be full when the actor works in silence, but subdued promptly as often as the actor speaks. Thus it enhances the action without drowning a spoken line.

These are varied gifts, none of them common, and music is a popular art. One would think, then, that such a composer and artist would make his fortune nowadays. Not so. Mr. Edwin Ellis lived sober, laborious, prudent, respected, and died poor. He was provident and insured his life: he had a family and so small an income that he could not keep up the insurance. He has left a wife and nine children utterly destitute, and he could not possibly help it. The kindest-hearted profession in the world—though burdened with many charitable claims—will do what it can for them: but I do think the whole weight ought not to fall upon actors and musicians. The man was a better servant of the public than people are aware, and therefore I ask leave to say a few words to the public and to the press over his ill-remunerated art, and his untimely grave.

Surely the prizes of the theater are dealt too unevenly, when such a man for his compositions and his performance receives not half the salary of many a third class performer on the stage, works his heart out, never wastes a shilling, and dies without one.

No individual is to blame; but the system seems indiscriminating and unjust, and arises from a special kind of ignorance, which is very general, but I think and hope is curable.

Dramatic effects are singularly complex, and they cannot really be understood unless they are decomposed. But it is rare to find, out of the Theater, a mind accustomed to decompose them. The writer is constantly blamed for the actor's misinterpretation, and the actor for the writer's feebleness. Indeed, the general inability to decompose and so discriminate goes so far as this—You hear an author gravely accused by a dozen commentators of writing a new play four hours long. Of those four hours the stage carpenter occupied one hour and thirty minutes. Yet they ascribe that mechanic's delay to the lines and delivery, when all the time it was the carpenter, who had not rehearsed his part, and therefore kept the author

and the actors waiting just as long as he did the audience.

Where the habit of decomposing effects is so entirely absent, it follows, as a matter of course, that the subtle subsidiary art of the able leader is not distinguished, and goes for nothing in the public estimate of a play. I suppose two million people have seen Shaun the Post escape from his prison by mounting the ivied tower, and have panted at the view. Of those two million how many are aware that they saw with the ear as well as the eye, and that much of their emotion was caused by a mighty melody, such as effeminate Italy never produced—and never will till she breeds more men and less monks—being played all the time on the great principle of climax, swelling higher and higher, as the hero of the scene mounted and surmounted? Not six in the two million spectators, I believe. Mr. Ellis has lifted scenes and situations for me and other writers scores of times, and his share of the effect never been publicly noticed. When he had a powerful action or impassioned dialogue to illustrate he did not habitually run to the poor resource of a "hurry" or a nonsense "tremolo," but loved to find an appropriate melody, or a rational sequence of chords, or a motived strain, that raised the scene or enforced the dialogue. As to his other qualities, it was said of Caesar that he was a general who used not to say to his soldiers "go" but "come," and that is how Mr. Ellis led an orchestra. He showed them how to play with spirit by doing it himself. He was none of your sham leaders with a *bâton*, but a real leader with a violin, that set his band on fire. A little while before he died he tried change of air, by the kind permission of Messrs. Gatti, and he helped me down at Liverpool. He entered a small orchestra of good musicians that had become languid. He waked them up directly, and they played such fine music and so finely that the *entr'acte* music became at once a feature of the entertainment. A large theater used to ring nightly with the performance of fifteen musicians only; and the Lau-

cashire lads, who know what is good, used to applaud so loudly and persistently that Mr. Ellis had to rise nightly in the orchestra and bow to them before the curtain could be raised.

Then I repeat that there must be something wrong in the scale of remuneration, when such a man works for many years and dies in need, without improvidence. In all other professions there are low rewards and high rewards. On what false principles does such a man as Ellis receive the same pittance as a mediocre leader, who doses a play with tremolo, and "hurries," and plays you dead with polkas between the acts, and, though playing to a British audience, rarely plays a British melody but to destroy it by wrong time, wrong rhythm, coarse and slovenly misinterpretation, plowing immortal airs, not playing them?

I respectfully invite the Press over this sad grave, to look into these matters—to adopt the habit of decomposing all the complex effects of a theater: to ignore nobody, neither artist nor mechanic, who affects the public: to time the carpenters' delays on a first night and report them to a second; to time the author's lines and report their time to a minute: to criticise as an essential part of the performance the music, appropriate or inappropriate, intelligent or brainless, that accompanies the lines and action; and not even to ignore the quality and execution of the *entr'acte* music. A thousand people have to listen to it three-quarters of an hour, and those thousand people ought not to be swindled out of a part of their money by the misinterpretation of Italian overtures or by the everlasting performance of polkas and waltzes. These last are good musical accompaniments to the foot, but to seated victims they are not music, but mere rhythmical thumps. There is no excuse for this eternal trash, since the stores of good music are infinite.

If the Press will deign to take a hint from me, and so set themselves to decompose and discriminate, plays will soon be played quicker on a first night, and accomplished artists like Edwin Ellis

will not work hard, live soberly, and die poor. Meantime, I do not hesitate to ask the public to repair in some degree the injustice of fortune. Millions of people have passed happy evenings at the Adelphi Theater. Thousands have heard Mr. Ellis accompany "The Wandering Heir" and between the acts play his "Songs without Music" at the Queen's. I ask them to believe me that this deserving and unfortunate musician caused much of their enjoyment though they were not conscious of it at the time. Those spectators, and all who favor me with their confidence in matters of charity, I respectfully invite to aid the Theatrical and Musical Professions in the effort they are now making to save from dire destitution the widow and children of that accomplished artist and worthy man.

I am, sir,

Yours respectfully,

CHARLES READE.

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## THE STORY OF THE BOAT RACE OF 1872.

TO THE EDITOR OF THE "OBSERVER."

THIS great annual race has become a national event. The rival crews are watched by a thousand keen eyes from the moment they appear on the Thames; their trials against time or scratch crews are noted and reported to the world; criticism and speculation are unintermittent, and the Press prints two hundred volumes about the race before ever it is run.

When the day comes England suspends her liberties for an hour or two, makes her police her legislators; and her river, though by law a highway, becomes a race course; passengers and commerce are both swept off it not to spoil sacred sport; London pours out her myriads



the country flows in to meet them; the roads are clogged with carriages and pedestrians all making for the river; its banks on both sides are blackened by an unbroken multitude five miles long; on all the bridges that command the race people hang and cluster like swarming bees; windows, seats, balconies, are crammed, all glowing with bright colors (blue predominating), and sparkling with brighter eyes of the excited fair ones.

The two crews battle over the long course under one continuous roar of a raging multitude. At last—and often after fluctuations in the race that drive the crowd all but mad—there is a puff of smoke, a loud report, one boat has won, though both deserve; and the victors are the true kings of all that mighty throng; in that hour the Premier of England, the Primate, the poet, the orator, the philosopher of his age, would walk past unheeded if the Stroke oar of the victorious boat stood anywhere near.

To cynics and sedentary students all this seems childish, and looks like paying to muscle a homage that is never given by acclamation to genius and virtue.

But, as usual, the public is not far wrong; the triumph, though loud, is evanescent, and much has been done and endured to earn it. No glutton, no wine-bibber, no man of impure life could live through that great pull; each victor *abstinet venere et vino, sudavit et alsi*.

The captain of the winning boat has taught Government a lesson; for in selecting his men he takes care of Honor, and does not take care of Dowb, for that would be to throw the race away upon dry land; but the public enthusiasm rests on broader and more obvious grounds than these. Every nation has a right to admire its own traits in individuals, when those traits are honorable and even innocent. England is not bound to admire those athletes, who every now and then proclaim their nationality by drinking a quart of gin right off for a wager; but we are a nation great upon the water,

and great at racing, and we have a right to admire these men, who combine the two things to perfection. This is the king of races, for it is run by the king of animals working, after his kind, by combination, and with a concert so strong, yet delicate, that for once it eclipses machinery. But, above all, here is an example, not only of strength, wind, spirit, and pluck indomitable, but of pure and crystal honor. Foot races and horse races have been often sold, and the bettors betrayed; but this race never—and it never will be. Here, from first to last, all is open, because all is fair and glorious as the kindred daylight it courts. We hear of shivering stable boys sent out on a frosty morning to try race-horses on the sly, and so give the proprietors private knowledge to use in betting. Sometimes these early worms have been preceded by earlier ones, who are watching behind a hedge. Then shall the trainer whisper one of the boys to hold in the faster horse, and so enact a profitable lie. Not so the University crews; they make trials in broad daylight for their own information; and those trials are always faithful. The race is pure, and is a strong corrective annually administered to the malpractices of racing. And so our two great fountains of learning are one fount of honor, God be thanked for it! So the people do well to roar their applause, and every nobleman who runs horses may be proud to take for his example these high-spirited gentlemen, who nobly run a nobler creature, for they run themselves. The recent feature of this great race has been the recovery of Cambridge in 1870 and 1871, after nine successive defeats; defeats the more remarkable that up to 1861 Oxford was behind her in the number of victories. The main cause of a result so peculiar was that system of rowing Oxford had invented and perfected. The true Oxford stroke is slow in the water but swift in the air; the rower goes well forward, drops his oar clean into the water, goes well backward, and makes his stroke, but, this done, comes swiftly forward all of a piece, hands foremost. Thus, though a slow

stroke, it is a very busy one. Add to this a clean feather, and a high sweep of the oars to avoid rough water, and you have the true Oxford stroke, which is simply the perfection of rowing, and can, of course, be defeated by superior strength or bottom: but, *cæteris paribus*, is almost sure to win.

Nine defeats were endured by Cambridge with a fortitude, a patience, and a temper that won every heart, and in 1870 she reaped her reward. She sent up a crew, led by Mr. Goldie—who had been defeated the year before by Darbshire's Oxford eight—and coached by Mr. Morrison. This Cambridge crew pulled the Oxford stroke, or nearly, drove Oxford in the race to a faster stroke that does not suit her, and won the race with something to spare, though stuck to indomitably by Darbshire and an inferior crew. In 1871 Oxford sent up a heavy crew, with plenty of apparent strength, but not the precision and form of Mr. Goldie's eight. Cambridge took the lead and kept it.

This year Oxford was rather unlucky in advance. The city was circumnavigable by little ships, and you might have tacked an Indiaman in Magdalen College meadow: but this was unfavorable to eight-oar practice. Then Mr. Lesley, the stroke, sprained his side, and resigned his post to Mr. Houblon, a very elegant oarsman, but one who pulls a quick stroke, not healthy to Oxford on Father Thames his bosom. Then their boat was found to be not so lively as the Cambridge boat built by Clasper. A new boat was ordered, and she proved worse in another way than Salter's. In a word Oxford came to the scratch to-day with a good stiff boat, not lively, with twenty pound more dead weight inside the coxswain's jacket, and with a vast deal of pluck and not a little Hemiplegia. The betting was five to two against her.

Five minutes before the rivals came out it was snowing so hard that the race bade fair to be invisible. I shall not describe the snow, nor any of the atmospheric horrors that made the whole business purgatory instead of pleasure. I

take a milder revenge: I only curse them.

Putney roared; and out came the Dark Blue crew; they looked strong and wiry, and likely to be troublesome attendants. Another roar, and out came the Light Blue. So long as the boats were stationary one looked as likely as the other to win.

They started. Houblon took it rather easy at first; and Cambridge obtained a lead directly, and at the Soap Works was half a length ahead. This was reduced by Mr. Hall's excellent steering a foot or two by the time they shot Hammersmith Bridge. As the boats neared Chiswick Eyot, where many a race has changed, Oxford gradually reduced the lead to a foot or two; and if this could have been done with the old, steady, much-enduring stroke, I would not have given much for the leading boat's chance. But it was achieved by a stroke of full thirty-nine to the minute, and neither form nor time was perfect. Mr. Goldie now called upon his crew, and the Clasper boat showed great qualities; it shot away visibly, like a horse suddenly spurred; this spurt proved that Cambridge had great reserves of force, and Oxford had very little. Houblon and his gallant men struggled nobly and unflinchingly on; but, between Barnes Bridge and Mortlake, Goldie put the steam on again, and increased the lead to about a length and a half clear water. The gun was fired, and Cambridge won the race of 1872.

In this race Oxford, contrary to her best traditions, pulled a faster stroke than Cambridge; the Oxford coxswain's experience compensated for his greater weight. The lighter coxswain steered his boat in and out a bit, and will run some risk of being severely criticised by all our great contemporaries—except *Zig-Zag*. As for me, my fifty summers or fifty winters—there is no great difference in this island of the blessed, they are neither of them so horrible as the spring—have disinclined me to thunder on the young. A veteran journalist perched on the poop of a steam vessel has many advantages. He has a bird's-eye view of the Thames,

and can steer Clasper's boat with his mind far more easily than can a youngster squatted four inches above the water, with eight giants intercepting his view of a strange river, and a mob shouting in his ears like all the wild beasts of a thousand forests.

Mr. Goldie has done all his work well for months. He chose his men impartially, practiced them in time, and finally rowed the race with perfect judgment. He took an experimental time, and finding he could hold it, made no premature call upon his crew. He held the race in hand, and won it from a plucky opponent without distressing his men needlessly. No man is a friend of Oxford, who tells her to overrate accidents, and underrate what may be done by a wise president before ever the boats reach Putney. This London race was virtually won at Cambridge. Next year let Oxford choose her men from no favorite schools or colleges, lay aside her prejudice against Clasper, and give him a trial; at all events, return to her swinging stroke, and practice till not only all the eight bodies go like one, but all the eight rowlocks ring like one; and the spirit and bottom that enabled her to hang so long on the quarter of a first-rate crew in a first-rate boat will be apt to land her a winner in the next and many a hard-fought race.

CHARLES READE.

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## BUILDERS' BLUNDERS.

TO THE EDITOR OF THE "PALL MALL GAZETTE."

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### FIRST LETTER.

SIR—Amid the din of arms abroad and petty politics at home, have you a corner for a subject less exciting, but very important to Englishmen? Then let me expose that great blot upon the English

intellect, the thing we call A HOUSE, especially as it is built in our streets, rows, and squares.

To begin at the bottom—the drains are inside and hidden; nobody knows their course. A foul smell arises: it has to be groped for, and half the kitchen and scullery floors taken up—blunder 1. Drains ought to be outside: and, if not, their course be marked, with the graving tool, on the stones, and a map of the drains deposited with a parish officer; overlying boards and stones ought to be hinged, to facilitate examination. Things capable of derangement should never be inaccessible. This is common sense; yet, from their drains to their chimneypots, the builders defy this maxim.

The kitchen windows are sashes, and all sash-windows are a mistake. They are small; they ought to be as large as possible. The want of light in kitchens is one of the causes why female servants—though their lot is a singularly happy one—are singularly irritable. But, not to dwell on small errors, the next great blunder in the kitchen is THE PLASTER CEILING.

The plaster ceiling may pass, with London builders, for a venerable antiquity that nothing can disturb, but to scholars it is an unhappy novelty, and, in its present form, inexcusable. It was invented in a tawdry age as a vehicle of florid ornamentation; but what excuse can there be for a *plain* plaster ceiling? Count the objections to it in a kitchen. 1. A kitchen is a low room, and the ceiling makes it nine inches lower. 2. White is a glaring color, and a white ceiling makes a low room look lower. 3. This kitchen ceiling is dirty in a month's wear, and filthy in three months, with the smoke of gas, and it is a thing the servants cannot clean. 4. You cannot hang things on it.

Now change all this: lay out the prime cost of the ceiling, and a small part of its yearly cost, in finishing your joists and boards to receive varnish, and in varnishing them with three coats of good copal. Your low room is now nine inches higher, and looks three feet. You can put in hooks and staples galore, and make the

roof of this business-room useful; it is, in color, a pale amber at starting, which is better for the human eye than white glare, and, instead of getting uglier every day, as the plaster ceiling does, it improves every month, every year, every decade, every century. Clean deal, under varnish, acquires in a few years a beauty oak can never attain to. So much for the kitchen.

The kitchen stairs, whether of stone or wood, ought never to be laid down without a protecting nozzle. The brass nozzle costs some money, the lead nozzle hardly any: no nozzle can be dear; for it saves the steps, and they are dearer. See how the kitchen steps are cut to pieces for want of that little bit of forethought in the builder.

We are now on the first floor. Over our heads is a blunder, the plaster ceiling, well begrimed with the smoke from the gasefier, and not cleanable by the servants: and we stand upon another blunder; here are a set of boards, not joined together. They are nailed down loose, and being of green wood they gape: now the blunder immediately below, the plaster ceiling of the kitchen, has provided a receptacle of dust several inches deep. This rises when you walk upon the floor, rises in clouds when your children run; and that dust marks your carpet in black lines, and destroys it before its time. These same boards are laid down without varnish; by this means they rot, and do not last one-half, nor, indeed, one-quarter, of their time. Moreover, the unvarnished boards get filthy at the sides before you furnish, and thus you lose the cleanest and most beautiful border possible to your carpet. So the householder is driven by the incapacity of the builder to pitiable substitutes—oil cloth, Indian matting, and stained wood, which last gets uglier every year, whereas deal boards varnished clean improve every year, every decade, every century.

I am, sir,

Yours very truly,

CHARLES READE.

## SECOND LETTER.

SIR—When last seen I was standing on the first floor of the thing they call a house, with a blunder under my feet—unvarnished, unjoined boards; and a blunder over my head—the oppressive, glaring, plaster ceiling, full of its inevitable cracks, and foul with the smoke of only three months' gas. This room has square doors with lintels. Now all doors and doorways ought to be arched, for two reasons—first, the arch is incombustible, the lintel and breast-summer are combustible; secondly, the arch, and arched door, are beautiful; the square hole in the wall, and square door, are hideous.

## SASH WINDOWS.

This room is lighted by what may be defined "the unscientific window." Here in this single structure you may see most of the intellectual vices that mark the unscientific mind. The scientific way is always the simple way; so here you have complication on complication: one-half the window is to go up, the other half is to come down. The maker of it goes out of his way to struggle with Nature's laws; he grapples insanely with gravitation, and therefore he must use cords, and weights, and pulleys, and build boxes to hide them in—he is a great hider. His wooden frames move up and down wooden grooves open to atmospheric influence. What is the consequence? The atmosphere becomes humid: the wooden frame sticks in the wooden box, and the unscientific window is jammed. What ho! Send for the CURSE OF FAMILIES, the British workman! Or one of the cords breaks (they are always breaking)—send for the CURSE OF FAMILIES to patch the blunder of the unscientific builder.

Now turn to the scientific window; it is simply a glass door with a wooden frame; it is not at the mercy of the atmosphere; it enters into no contest with gravitation; it is the one rational window upon earth. If a small window, it is a single glass door, if a large window, it is two glass doors, each

calmly turning on three hinges, and not fighting against God Almighty and His laws, when there is no need.

The scientific window can be cleaned by the householder's servants without difficulty or danger, not so the unscientific window.

How many a poor girl has owed broken bones to the sash-window! Nowadays humane masters afflicted with unscientific windows, send for the CURSE OF FAMILIES whenever their windows are dirty; but this costs seven or eight pounds a year, and the householder is crushed under taxes enough without having to pay this odd seven pounds per annum for the nescience of the builder.

We go up the stairs—between two blunders: the balusters are painted, whereas they ought to be made and varnished in the carpenter's shop, and then put up; varnished wood improves with time, painted deteriorates. On the other side is the domestic calamity, foul wear, invariable, yet never provided for; furniture mounting the narrow stairs dents the wall and scratches it; sloppy housemaids paw it as they pass, and their dirty gowns, distended by crinoline, defile it.

What is to be done then? must the whole staircase be repainted every year, because five feet of it get dirty, or shall brains step in and protect the vulnerable part?

The cure to this curse is chunam; or encaustic tiles, set five feet high all up the stairs. That costs money! Granted: but the life of a house is not the life of a butterfly. Even the tiles are a cheap cure, for repeated paintings of *the whole surface* mightily soon balance the prime cost of the tiles set over a small part.

The water-closet has no fire-place. That is a blunder. Every year we have a few days' hard frost, and then, without a fire in the water-closet, the water in the pan freezes, the machinery is jammed, and the whole family endure a degree of discomfort, and even of degradation, because the builder builds in summer and forgets there is such a thing as winter.

The drawing-room presents no new

feature; but the plaster ceiling is particularly objectionable in this room, because it is under the bedrooms, where water is used freely. Now if a man spills but a pint of water in washing or bathing, it runs through directly and defiles the drawing-room ceiling. Perhaps this blunder ought to be equally divided between the ceiling and the floor above, for whenever bedroom floors shall be properly constructed they will admit of buckets of water being sluiced all over them; and, indeed, will be so treated, and washed as courageously as are sculleries and kitchens only under the present benighted system.

I pass over the third floor, and mount a wooden staircase, a terrible blunder in this part of the house, to the rooms under the roof. These rooms, if the roof was open-timbered, would give each inmate a great many cubic feet of air to breathe; so the perverse builder erects a plaster ceiling, and reduces him to a very few cubic feet of air. This, the maddest of all the ceilings, serves two characteristic purposes; it chokes and oppresses the poor devils that live under it, and it hides the roof; now the roof is the part that oftenest needs repairs, so it ought to be the most accessible part of the house, and the easiest to examine from the outside and from the inside. For this very reason Perversity in person hides it; whenever your roof or a gutter leaks, it is all groping and speculation, because your builder has concealed the inside of the roof with that wretched ceiling, and has made the outside accessible only to cats and sparrows, and the "curse of families." N. B.—Whenever that curse of families goes out on that roof to mend one hole, he makes two. Why not? thanks to the perverse builder, you can't watch him, and *he has got a friend a plumber.*

We now rise from folly to lunacy; the roof is half perpendicular. This, in a modern house, is not merely silly, it is disgraceful to the human mind; it was all very well before gutters and pipes were invented: it was well designed to shoot off the water by the overlapping

eaves: but now we run our water off by our gutters and pipes, and the roof merely feeds them; the steep roof feeds them too fast and is a main cause of overflows. But there are many other objections to slanted roofs, especially in streets and rows:

1st. The pyramidal roof, by blocking up the air, necessitates high stacks of chimneys, which are expensive and dangerous.

2d. The pyramidal roof presses laterally against the walls, which these precious builders make thinner the higher they raise them, and subjects the whole structure to danger.

3d. It robs the family of a whole floor, and gives it to cats and sparrows. I say that a five-story house with a pyramidal roof is a five-story house, and with a flat roof is a six-story house.

4th. It robs the poor cockney of his country view. It is astonishing how much of the country can be seen from the roofs of most London streets. A poor fellow who works all day in a hole, might smoke his evening pipe, and see a wide tract of verdure—but the builders have denied him that; they build the roofs for cats, and the "curse of families," they do not build it for the man whose bread they eat.

5th. It robs poor families of their drying-ground.

6th. This idiotic blunder, slightly aided by a subsidiary blunder or two, murders householders and their families wholesale, destroys them by the most terrible of all deaths—burning alive.

And I seriously ask you, and any member of either House, who is not besotted with little noisy things, to consider how great a matter this is, though no political squabble can be raised about it.

Mind you, the builders are not to blame that a small, high house is, in its nature, a fire trap. This is a misfortune inseparable from the shape of the structure and the nature of that terrible element. The crime of the builders lies in this, that they make no intelligent provision against a danger so evident, but side with the fire, not the family.

Prejudice and habitual idiocy apart, can anything be clearer than this, *that, as fire mounts and smoke stifles, all persons who are above a fire ought to be enabled to leave the house by way of the roof, as easily and rapidly as those below the fire can go out by the street door.*

Now what do the builders do? They side with fire: they accumulate combustible materials on the upper floors, and they construct a steep roof most difficult and dangerous to get about on, but to the aged and infirm impossible. Are then the aged and infirm incombustible? This horrible dangerous roof the merciless wretches make so hard of access that few are the cases, as well they know by the papers, in which a life is saved by their hard road. They open a little trap-door—horizontal, of course: always go against God Almighty and His laws, when you can; that is the idiots' creed. This miserable aperture, scarcely big enough for a dog, is bolted or padlocked. It is seven feet from the ground. Yet the builder fixes no steps nor stairs to it; no, get at it how you can.

What chance has a mixed family of escaping by this hole in case of fire. Nobody ever goes on that beastly pyramid except in case of fire; and so the bolt is almost sure to be rusty, or the key mislaid, or the steps not close; and, even if the poor wretches get the steps to the place, and heave open the trap, in spite of rust and gravitation, these delays are serious; then the whole family is to be dragged up through a dog hole, and that is slow work, and fire is swift and smoke is stifling.

A thousand poor wretches have been clean murdered in my time by the builders with their trap-door and their pyramidal roof. Thousands more have been destroyed, as far as the builders were concerned; the fire-men and fire-escape men saved them, in spite of the builders, by means which were a disgrace to the builders.

But in my next, sir, I will show you that in a row of houses constructed by

brains not one of those tragedies could ever have taken place.

I am, sir,

Yours very truly,

CHARLES READE.

### THIRD LETTER.

SIR—It is a sure sign a man is not an artist, if, instead of repairing his defects, he calls in an intellectual superior to counteract them. The fire-escape is creditable to its inventor, but disgraceful to the builders. They construct a fire-trap without an escape; and so their fellow-citizens are to cudgel their brains and supply the builders' want of intelligence and humanity by an invention working from the street. The fire-escape can after all save but a few of the builders' victims. The only universal fire-escape is—THE RATIONAL ROOF.

To be constructed thus: Light iron staircases from the third floor to top floor and rational roof. Flat roof, or roofs, metal covered, with scarcely perceptible fall from center. Open joists and iron girders, the latter sufficiently numerous to keep the roof from falling in, even though fire should gut the edifice. An iron-lined door, surmounted by a skylight: iron staircase up to this door, which opens rationally on to the rational roof. Large cistern or tank on roof with a force-pump to irrigate the roof in fire or summer heats. Round the roof iron rails set firm in balcony, made too hard for bairns to climb, and surmounted by spikes. Between every two houses a partition gate with two locks and keys complete. Bell under cover to call neighbor in fire or other emergency.

Advantages offered by "*the RATIONAL roof*:"

1. High chimney stacks not needed.
2. Nine smoking chimneys cured out of ten. There are always people at hand to make the householder believe his chimney smokes by some fault of construction, and

so they gull him into expenses, and his chimney smokes on—because it is not thoroughly swept. Send a faithful servant on to the rational roof, let him see the chimney-sweep's brush at the top of every chimney before you pay a shilling, and good-by smoking chimneys. Sweeps are rogues, and the irrational roof is their shield and buckler.

3. The rails painted chocolate and the spikes gilt would mightily improve our gloomy streets.

4. Stretch clothes' lines from spike to spike, and there is a drying-ground for the poor, or for such substantial people as are sick of the washerwomen and their villainy. These heartless knaves are now rotting fine cambric and lace with soda and chloride of lime, though borax is nearly as detergent and injures nothing.

5. A playground in a purer air for children that cannot get to the parks. There is no ceiling to crack below.

6. In summer heats a blest retreat. Irrigate and cool from the cistern: then set four converging poles, stretch over these from spike to spike a few breadths of awning; and there is a delightful tent and perhaps a country view. If the Star and Garter at Richmond had possessed such a roof, they would have made at least two thousand a year upon it, and perhaps have saved their manager from a terrible death.

7. On each roof a little flagstaff and streamer to light the gloom with sparks of color, and tell the world is the master at home or not. This would be of little use now; but, when once the rational roof becomes common, many a friend could learn from his own roof whether a friend was at home, and so men's eyes might save their legs.

8. In case of fire, the young and old would walk out by a rational door on to a rational roof, and ring at a rational gate. Then their neighbor lets them on to his rational roof, and they are safe. Meantime, the adult males, if any, have time to throw wet blankets on the skylight and turn the water on to the roof. The rational roof, after saving the family

which its predecessor would have destroyed, now proceeds to combat the fire. It operates as an obstinate cowl over the fire; and, if there are engines on the spot, the victory is certain. Compare this with the whole conduct of the irrational roof. First it murdered the inmates; then it fed the fire; then it collapsed and fell on the ground floor, destroying more property, and endangering the firemen. I am,

Yours very truly,

CHARLES READE.

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#### FOURTH LETTER.

SIR—The shoe pinches all men more or less; but, on a calm survey, I think it pinches the householder hardest.

A house is as much a necessary of life as a loaf; yet this article of necessity has been lately raised to a fancy price by the trade conspiracies of the building operatives—not so much by their legitimate strikes for high wages as by their conspiring never to do for any amount of wages an honest day's work—and the fancy price thus created strikes the householder first in the form of rent. But this excessive rent, although it is an outgoing, is taxed as income: its figure is made the basis of all the imperial and parochial exactions, that crush the householder. One of these is singularly unfair: I mean "the inhabited house duty." What is this but the property tax re-baptized and levied over again, but from the wrong person? the property tax is a percentage on the rent, levied in good faith, from the person whom the rent enables to pay that percentage: but the inhabited house duty is a similar percentage on the rent, levied, under the disguise of another name, from him whom the rent disables.

In London the householder constantly builds and improves the freehold: instantly parochial spies raise his rates. He has employed labor, and so far coun-

terbalanced pauperism; at the end of his lease the house will bear a heavier burden; but these heartless extortioners they bleed the poor wretch directly for improving parochial property at his own expense. At the end of his lease the rent is raised by the landlord on account of these taxed improvements, and the tenant turned out with a heavier grievance than the Irish farmer; yet he does not tumble his landlord, nor even a brace of vestrymen. The improving tenant, while awaiting the punishment of virtue, spends twenty times as much money in pipes as the water companies do, yet he has to pay them for water a price so enormous, that they ought to bring it into his cisterns, and indeed into his mouth, for the money.

He pays through the nose for gas.

He bleeds for the vices of the working classes: since in our wealthy cities, nine-tenths of the pauperism is simply waste and inebriety. He often pays temporary relief to an improvident workman, whose annual income exceeds his own, but who will never put by a shilling for a slack time.

In short, the respectable householder of moderate means is so ground down and oppressed that, to my knowledge, he is on the road to despondency and ripening for a revolution.

Now, I can hold him out no hope of relief from existing taxation: but his intolerable burden can be lightened by other means; the simplest is to keep down his bill for repairs and decorations, which at present is made monstrous by original misconstruction.

The irrational house is an ANIMAL WITH ITS MOUTH ALWAYS OPEN.

This need not be. It arises from causes most of which are removable; viz., 1st, from unscientific construction; 2d, plaster ceilings; 3d, the want of provision for partial wear; 4th, the abuse of paint; 5th, hidden work.

Under all these heads I have already given examples. I will add another under head 3. The dado or skirting board is to keep furniture from marking the wall: but it is laid down only one inch



thick, whereas the top of a modern chair overlaps the bottom an inch and a half. This the builders do not, or will not, observe, and so every year in London fifty thousand rooms are spoiled by the marks of chair-backs on the walls, and the owners driven to the expense of painting or papering sixty square yards, to clear a space that is less than a square foot, but fatal to the appearance of the room.

Under head 4 let me observe that God's woods are all very beautiful; that **ONLY FOOLS ARE WISER THAN GOD ALMIGHTY**; that varnish shows up the beauty of those woods, and adds a gloss; and that house-paint hides their beauty. Paint holds dirt, and does not wash well; varnish does. Paint can only be mixed by a workman. Varnish is sold fit to put on. Paint soon requires revival, and the old paint must be rubbed off at a great expense, and two new coats put on. Varnish stands good for years, and, when it requires revival, little more is necessary than simple cleaning, and one fresh coat, which a servant or anybody can lay on. 5. Hidden work is sure to be bad work, and so need repairs, especially in a roof, that sore tried part; and the repairs are the more expensive that the weak place has to be groped for.

I have now, I trust, said enough to awaken a few householders from the lethargy of despair, and to set them thinking a little and organizing a defense against the extraordinary mixture of stupidity and low instinctive trade cunning of which they are the victims: for a gentleman's blunders hurt himself, but a tradesman's blunders always hurt his customers; and this is singularly true of builders' blunders: they all tend one way—to compel the householder to be always sending for the builder, or that bungling rascal the plumber, to grope for his hidden work, or botch his bad work, or clean his unscientific windows, or whitewash his idiotic ceilings, or rub his nasty unguents off God's beautiful wood, and then put some more nasty odoriferous unguents on, or put crows on his ill-cleaned chimneys; or, in short, to repair

his own countless blunders at the expense of his customer.

Independently of the murderous and constant expense, the bare entrance into a modest household of that loose, lazy, drunken, dishonest drink-man and jack-man, who has the impudence to call himself "the British workman," though he never did half a day's real work at a stretch in all his life, is a serious calamity, to be averted by every lawful means.

I am, sir,

Yours faithfully,

CHARLES READE.

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## OUR DARK PLACES.

TO THE GENTLEMEN OF THE PRESS.

No. I.

GENTLEMEN—On Friday last, a tale was brought to me that a sane prisoner had escaped from a private madhouse, had just baffled an attempt to recapture him by violent entry into a dwelling-house, and was now hiding in the suburbs.

The case was grave: the motives alleged for his incarceration were sinister; but the interpreters were women, and consequently partisans, and some, though not all, the parties concerned on the other side bear a fair character. Humanity said "look into the case!" Prudence said, "look at it on both sides." I insisted, therefore, on a personal interview with Mr. —. This was conceded, and we spent two hours together: all which time I was of course testing his mind to the best of my ability.

I found him a young gentleman of a healthy complexion, manner *vif*, but not what one would call excited. I noticed however that he liked to fidget string and other trifles between his finger and thumb at times. He told me his history for some years past, specifying the dates of several events: he also let me know he

had been subject for two years to fits, which he described to me in full. I recognized the character of these fits. His conversation was sober and reasonable. But had I touched the exciting theme? We all know there is a class of madmen who are sober and sensible till the one false chord is struck. I came therefore to that delusion which was the original ground of ——'s incarceration; his notion that certain of his relations are keeping money from him that is his due.

This was the substance of his hallucination as he revealed it to me. His father was member of a firm with his uncle and others. Shortly before his death his father made a will leaving him certain personalities, the interest of £5,000, and, should he live to be twenty-four, the principal of ditto, and the reversion, after his mother's death, of another considerable sum.

Early last year he began to inquire why the principal due to him was not paid. His uncle then told him there were no assets to his father's credit, and never had been. On this, he admits, he wrote "abominably passionate" letters, and demanded to inspect the books. This was refused him, but a balance sheet was sent him, which was no evidence to his mind, and did not bear the test of Addition, being £40,000 out on the evidence of its own figures. This was his tale, which might be all bosh for aught I could tell.

Not being clever enough to distinguish truth from fancy by divination, I took cab, and off to Doctors' Commons, determined to bring some of the above to book.

Well, gentlemen. I found the will, and I discovered that my maniac has understated the interest he takes under it. I also find, as he told me I should, his uncle's name down as one of the witnesses to the will. Item, I made a little private discovery of my own, viz., that —— is residuary legatee, subject to his mother's life interest, and that *all his interest* under the will goes to five relations of the generation above him should he die *intestate*.

I now came to this conclusion, which I think you will share with me, that ——'s

delusion may or may not be an error, but cannot be a hallucination, since it is simply good logic founded on attested facts. For on which side lies the balance of credibility? The father makes a solemn statement that he has thousands of pounds to bequeath. The uncle assents in writing while the father is alive, but gives the father and himself the lie when the father is no longer on earth to contradict him. They say in law, "*Allegans contraria non est audiendus*."

Being now satisfied that the soi-disant delusion might be error but could not be aberration of judgment, I subjected him to a new class of proofs. I asked him if he would face medical men of real eminence, and not in league with madhouse doctors. "He would with pleasure. It was his desire." We went first to Dr. Dickson, who has great experience, and has effected some remarkable cures of mania. Dr. Dickson, as may well be supposed, did not take as many seconds as I had taken hours. He laughed to scorn the very notion that the man was mad. "He is as sane as we are," said Dr. Dickson. From Bolton Street we all three go to Dr. Ruttledge, Hanover Square, and, on the road, Dr. Dickson and I agree to apply a test to Dr. Ruttledge, which it would have been on many accounts unwise to apply to a man of ordinary skill. Dr. Dickson introduced —— and me thus:—"One of these is insane, said to be. Which is it?" Dr. Ruttledge took the problem mighty coolly, sat down by me first, with an eye like a diamond: it went slap into my marrow-bone. Asked me catching questions, touched my wrist, saw my tongue, and said quietly, "This one is sane." Then he went and sat down by —— and drove an eye into him, asked him catching questions, made him tell him in order all he had done since seven o'clock, felt pulse, saw tongue: "This one is sane, too." Dr. Dickson then left the room, after telling him what was ——'s supposed delusion, and begged him to examine him upon it. The examination lasted nearly half an hour, during which —— related the circumstances of his mis-

understanding, his capture, and his escape, with some minuteness. The result of all this was a certificate of sanity: copy of which I subjoin. The original can be seen at my house by any lady or gentleman connected with literature or the press.

“We hereby certify that we have this day, both conjointly and separately, examined Mr. —, and we find him to be in every respect of sound mind, and laboring under no delusion whatever. Moreover, we entertain a very strong opinion that the said Mr. — has at no period of his life labored under insanity.

“He has occasionally had epileptic fits.  
“(Signed) JAMES RUTTLEDGE, M.D.  
S. DICKSON, M.D.

“19 GEORGE STREET, HANOVER SQUARE,  
9th August, 1858.

This man, whose word I have no reason to doubt, says the keeper of the madhouse told him he should never go out of it. This, if true, implies the absence of all intention to cure him. He was a customer, not a patient: he was not in a hospital, but in a jail, condemned to imprisonment for life, a sentence so awful that no English judge has ever yet had the heart to pronounce it upon a felon. — is an orphan.

The law is too silly, and *one-sided*, and *slow*, to protect him against the prompt and daring men who are now even hunting him. But while those friends the God of the fatherless has raised him concert his defense, you can aid justice greatly by letting daylight in. I will explain why this is in my next.

I am, gentlemen,

Your obedient servant,

CHARLES READE.

GARRICK CLUB.

10th August, 1858.

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## NO. II.

GENTLEMEN—In England “Justice” is the daughter of “Publicity.” In this, as in every other nation, deeds of villainy are done every day in kid gloves; but

they can only be done on the sly: here lies our true moral eminence as a nation. Our judges are an honor to Europe, not because Nature has cut them out of a different stuff from Italian judges: this is the dream of babies: it is because they sit in courts open to the public, and “*sil next day in the newspapers.*” \* Legislators who have not the brains to appreciate the Public, and put its sense of justice to a statesmanlike use, have yet an instinctive feeling that it is the great safeguard of the citizen. Bring your understandings to bear on the following sets of propositions in lunacy law:—First grand division—Maxims laid down by Shelford. “A. The law requires satisfactory evidence of insanity. B. Insanity in the eye of the law is nothing less than *the prolonged departure, without an adequate external cause, from the state of feeling, and modes of thinking, usual to the individual when in health.* C. The burden of proof of insanity lies on those asserting its existence. D. Control over persons represented as insane is not to be assumed without necessity. E. Of all evidence, that of medical men ought to be given with the greatest care, and received with the utmost caution. F. The medical man’s evidence should not merely pronounce the party insane, but give sufficient reasons for thinking so. For this purpose it behooves him to have investigated accurately the collateral circumstances. G. The imputations of friends or relations, etc., are not entitled to *any weight or consideration* in inquiries of this nature, but ought to be dismissed from the minds of the judge and jury, who are bound to form their conclusions from impartial evidence of facts, and not to be led astray by any such *fertile sources of error and injustice.*”

The second class of propositions is well known to your readers. A *relative* has only to buy two *doctors*, two *surgeons*, or even two of those “whose poverty though not their will consents.” and he can clap in a madhouse any rich old fel-

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\* We are indebted to Lord Mansfield for this phrase.

low that is spending his money absurdly on himself, instead of keeping it like a wise man for his heirs; or he can lock up any eccentric, bodily-afflicted, troublesome, account-sifting young fellow.

In other words, the two classes of people, who figure as *suspected witnesses* in one set of clauses, are made judge, jury, and executioner, in another set of clauses, one of which, by a refinement of injustice, shifts the burden of proof from the accusers to the accused in all open proceedings subsequent to his wrongful imprisonment.—Shelford, 56.

Now what is the clew to this apparent contradiction—to this change in the weather-cock of legislative morality? It is mighty simple. The maxims, No. 1, are the practice and principle that govern what are called “Commissions of Lunacy.” At these the newspaper reporters are present. No. 2 are the practice and principle legalized, where no newspaper reporters are present. Light and darkness.

Since then the Law de Lunatico has herself told us that she is an idiot and a rascal when she works in the dark, but that she is wise, cautious, humane, and honest in the light, my orphan and myself should indeed be mad to disregard her friendly hint as to her double character. This, gentlemen, is why we come to you first: you must give us publicity, or refuse us justice. We will go to the Commissioners in Lunacy, but not before their turn. We dare not abjure experience. We know the Commissioners: we know them *intus et in cute*; we know them better than they know themselves. They are of two kinds, one kind I shall dissect elsewhere: the rest are small men afflicted with a common malady, a commonplace conscience.

These soldiers of Xerxes won't do their duty if they can help it; if they can't, they will. With them justice depends on Publicity, and Publicity on you. Up with the lash!!

I am now instructed by him who has been called mad, but whose intelligence may prove a match for theirs, to propose to his enemies to join him in proving to

the public that their convictions are as sincere as his. The wording of the challenge being left to me, I invite them to an issue, thus: “My lads, you were game to enter a dwelling-house kept by women, and proposed to break open a woman's chamber-door, till a woman standing on the other side with a cudgel, threatened ‘to split your skulls,’ and that chilled your martial ardor.

Vos etenim juvenes animum geritis muliebrem  
Illa virago viri.

“And now you are wasting your money (*and you will want it all*), dressing up policemen, setting spies, and in short, doing the Venetian business in England; and all for what? You want our orphan's body. Well, it is to be had without all this dirty maneuvering, and silly small treachery. Go to Jonathan Weymouth, Esq., of Clifford's Inn. He is our orphan's solicitor, duly appointed and instructed: he will accept service of a writ de lunatico inquirendo, and on the writ being served, Mr. Weymouth will enter into an undertaking with you to produce the body of E. P. F. in court, to abide the issue of a daylight investigation. If you prove him mad, you will take him away with you; if you fail to make him out mad before a disinterested judge, at all events you will prove yourselves to be honest, though somewhat hard-hearted, men and *women*.”

Should this proposal be accepted, the proceedings of our opponents will then assume a respectability that is wanting at present, and in that case these letters will cease. Subjudice lis erit.

I am, gentlemen,

Your obedient servant,

CHARLES READE.

No. III.

GARRICK CLUB, October.

GENTLEMEN—My last letter concluded by inviting the person, who had incarcerated my orphan on the plea of insanity, to prove that, whether mistaken or not, he was sincere. No such evidence has

been offered. He has therefore served a writ upon this person, and will proceed to trial with all possible expedition, subject, of course, to the chances of demurrer, or nonsuit.\*

It would not be proper to say more, *pendente lite*. But, some shallow comments having been printed elsewhere, it seems fair that those Editors, who had the humanity, the courtesy, and, let me add, the intelligence, to print my letters, should possess this proof that their columns have not been trifled with by Their obliged

And obedient servant,

CHARLES READE.

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No. IV.

“Cunctando restituit rem.”

GENTLEMEN—When, four months ago, I placed my orphan under the wing of the law, I hoped I had secured him that which is every Englishman's right, a trial by judge and jury: and need draw no further upon your justice and your pity. I have clung to this hope in spite of much sickness of heart, month after month: but at last both hope and faith are crushed in me, and I am forced to see, that without a fresh infusion of publicity, my orphan has no reasonable hope of getting a public trial till he shall stand with his opponents before the God of the fatherless. I do not say this merely because his trial has been postponed, and postponed, but because it has been thrice postponed on grounds that can be reproduced three hundred times just as easily as thrice, unless the light of publicity is let in.

Let me premise that the matters I have to relate are public acts, and as proper for publication and criticism as any other judicial proceedings, and that they will make the tour of Europe and the United States in due course. When the day of

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\* Individually I entertain no apprehension on this score. The constitutional rights of Englishmen are safe in the hands of the present judges; and trial by jury, in a case of this character, is one of those rights—provided, of course, the proper Defendant has been sued.

trial drew near in November last, defendant's attorney applied to have trial postponed for a month or two, for the following sole reason:—He swore, first, that a Mr. 3 Stars, dwelling at Bordeaux, was a witness without whom defendant could not safely proceed to trial; and he swore, second, that said 3 Stars had written to him on the 18th November, that, owing to an accident on the railway, he was then confined to his room, and had little hope of being able to leave Bordeaux under a month. No. 1, you will observe, is legal evidence: but No. 2 is no approach toward legal evidence. Nothing is here sworn to but the fact that there exists an unsworn statement by a Mr. 3 Stars. On this demi-semi-affidavit, unsupported by a particle of legal evidence, a well-meaning judge, in spite of a stiff remonstrance, postponed the trial, nominally for one month, really for two months. I fear my soul is not so candid as the worthy judge's, for on the face of this document, where he saw veracity, I saw disingenuousness, stand out in alto relievo. So I set the French police upon Mr. 3 Stars, and received from the Prefect of La Gironde an official document, a copy of which is inclosed herewith. By it we learn, first, that the accident or incident was not what plain men understand by an accident on a railway. The man hurt a leg getting down from a railway carriage, just as he might from his own gig. Second, that it was not quite so recent as his suppression of date might lead a plain man to presume, but was three weeks old when he wrote as above; third, that he must have been well long before the 9th of December, for, writing on that day, the prefect describes him as having made frequent excursions into Medoc since his incident. Unfair inaccuracy once proved in so important a statement, all belief is shaken. In all human probability, Mr. 3 Stars was convalescent on the 18th November, viz., three weeks after his railway incident. But it is certain he was *well* on or about the 1st December, and that, consequently, he could with ease have attended that trial, which his statement that he could not move till about the 18th

December caused to be put off for two months. What man who knows the world can help suspecting that the arbitrary period of a month was arranged between him and the attorney, not so much with reference to the truth as to the sittings of the court at Westminster upon special jury cases?

So much for abjuring the experience of centuries, and postponing an alleged lunatic's trial for two months, upon indirect testimony that would be kicked out of a County Court in a suit for a wheelbarrow: hearsay stuccoed, nursery evidence; not legal evidence.

Well, gentlemen, the weary months crawled on, and the lame, old, broken winded, loitering beldame, British justice, hobbled up to the scratch again at last. Mr. 3 Stars was now in England. That sounded well. But he soon showed us that—

“*Celum non animam mutant qui trans mare currunt.*”

His health still fluctuated to order: pretty well as to the wine trade; very sick as to the Court of Queen's Bench. He comes from Bordeaux to London (and that is a good step), burning, we are told, to attend the trial at Westminster. The trial draws near: he whips off—to Hampstead? No:—to *Wales*. Arrived there, he writes, in due course, to his late colleague in affidavit, that he can't travel. This time the gentleman that does the interlocutory swearing for the defendant (let us call him Fabius), doubting whether the 3 Stars malady would do again by itself, associated with his “*malade affidavitaire*” two ladies, whom, until they compel me to write a fifth letter, I will call Mrs. Plausible and Mrs. Brand. Non-legal evidence as before. Fabius swears, not that 3 Stars is ill; that might have been dangerous; but that 3 Stars says he is ill: which is true. Item, that Mrs. Brand cannot cross the ditch that parts France from England, because she has had an operation performed. This turns out to have been *twelve months ago*. Item, Fabius swears that Mrs. Plausible says the little Plausibles have all got scarlatina; and, there-

fore, Fabius swears that Mrs. Plausible *thinks* the constitutional rights of the English people ought to remain in doubt and suspense, in the person of our orphan, till such time as the said scarlatina has left her nursery (and the measles not arrived?), “*A tout bambin tout honneur.*”

All which conjectural oaths, and sworn conjectures, and nursery dialectics, they took to Mr. Justice Erle, of all gentlemen in the world; and moved to postpone the trial indefinitely. Early in the argument, their counsel having, I think, gone through the schools at Oxford, took a distate to the Irish syllogism that gleamed on his brief: videlicet, no witness who has scarlatina can come to Westminster and stand cross-examination by Q. C. Little b, c, and d are not witnesses but have got scarlatina.

Ergo, capital A can't come to Westminster and stand cross-examination by Q. C.

Counsel threw over Mrs. Plausible and Hibernian logic generally, and stood on the 3 Stars malady, second edition, and the surgical operation that was only twelve months old. But Mr. Justice Erle declined to postpone human justice till sickness and shamming should be no more. He refused to ignore the plaintiff, held the balance, and gave them a just and reasonable delay, to enable them to examine their “*malades affidavitaires*” upon commission. He was about to fix Saturday, Jan. 5, for the trial. They then pleaded hard for Monday. This was referred to plaintiff's attorney, who conceded that point. Having accepted this favor, which was clearly a conditional one, and only part of the whole arrangement, they were, I THINK, bound by professional good faith not to disturb the compact. They held otherwise: they instantly set to work to evade Mr. Justice Erle's order, by tinkering the Irish syllogism. In just the time that it would take to send Mrs. Plausible a letter, and say it is no use the little Plausibles having scarlatina; you must have it yourself, madam; you had better have it by telegraph—Mrs. Plausible announces the desired malady, but not

upon oath. "Scarlatina is easily said." Il va sans dire que they don't venture before Mr. Justice Erle again with their tinkered affidavit. They slip down to Westminster, and surprise a fresh judge, who has had no opportunity of watching the rise and progress of disease. Their counsel reads the soldered affidavit. Plaintiff's counter affidavits are then intrusted to him to read. What does he do? He reads the preamble, but burks the affidavits. The effect was inevitable. Even bastard affidavits cannot be met by rhetoric. They can only be encountered by affidavits. Judges decide, not on phrases, but on the facts before them. Plaintiff's facts being silenced, and defendant's stated, the judge naturally went defendant, and postponed the trial. (No. 3.)

Now, gentlemen, I am the last man in the world to cry over spilled milk. I don't come to you to tinker the untinkerable past, but, for the future, to ask a limit to injustice in its worst form, trial refused.

Without your help, this alleged lunatic is no nearer the term of his sufferings; no nearer the possibility of removing that frightful stigma, which is not stigma only, but starvation; no nearer to trial of his sanity by judge and jury, than he was four months ago. True, there are now three judges who will not easily be induced to impede the course of justice in this case; but there are other uninformed judges who may be surprised into doing it general. Fabius can at any day of any month *swear* that some male or female witness *says* she wants to come into the witness-box, and can't. And so long as "Jack swears that Jill says" is confounded with legal evidence, on interlocutory motions, justice can be defeated to the end of time, under color of postponement. Gentlemen, it is a known fact among lawyers that, in nine cases out of ten, postponement of trial has no other real object but evasion of trial by tiring out the plaintiff, or breaking his heart, or ruining him in expenses.

I see little reason whatever to doubt that this is a principal object here. Defendants have a long purse. Plaintiff is

almost a pauper in fact, whatever he may be in law. Mr. 3 Stars, sworn to as an essential witness, has not seen the boy for years. How can he, therefore, be a very essential witness to his insanity at or about the period of his capture? Dr. Pillbox and Mr. Sawbones must be better eards so far: in a suit at law the evidence of insanity, like that of sanity, cannot be spread out thin over disjointed years, like the little bit of butter on a schoolboy's bread. Mr. 3 Stars may be an evidence as to figures: but then the books are to be in court subpœnâ; and nobody listens much to any of us swearing arithmetic, when a ledger is speaking. The lady I have called Mrs. Plausible, would not, in my humble opinion, go into a witness-box if she were paid a hundred pounds a minute. I mean this anything but discourteously.

I implore all just and honest men, especially those who are in the service of the State, to try and realize the frightful situation in which postponement of trial keeps an alleged lunatic. The bloodhounds are hunting him all this time. There were several men looking after him the very last day he lost his hopes of immediate trial. Suppose that, on unsubstantial grounds, and illegal evidence, time should be afforded to find him out and settle the questions of fact and law, by brute force, what complexion would these thoughtless delays of justice assume *then* in the eye of the nation; ay, and to do them justice, in the consciences of those whose credulity would have made the bloodhounds of a lunatic asylum masters of an argument that has been now for many months referred to the Lord Chief Justice of England and a special jury. Mind, the constitution has been tampered with; "habeas corpus" has been suspended by the boobies that framed the Lunacy Acts. The judges have power to impede justice, but none to impede injustice. In these peculiar cases, I am advised, they can't order a sane man out of a lunatic asylum into the witness-box. Justice hobbles, but injustice flies to its mark. I declare to you that I live in mortal terror lest some evil should befall

this man, under the very wing of the court—not of course from the defendant—but from some member or members of the gang of stupid ruffians I am assured are still hanging about the skirts of the defense; men some of whom have both bloodshed and reasonshed on their hands already. My very housemaids have been tampered with to discover where “the pursuer,” as the Scotch call him, is hiding and quaking. Is such an anomaly to be borne? Is a man to be at the same time run from with affidavits and chased with human blood-hounds? Is this a state of things to be *prolonged*, without making our system the scorn and laughing-stock of all the citizens and lawyers of Europe?

Fletcher *v.* Fletcher only wants realizing. But some people are so stupid they can realize nothing that they have not got in their hands, their mouths, or their bellies. This is no common case; no common situation. This particular Englishman sues not merely for damages, but to recover lost rights dearer far than money, of which rights he says he is unjustly robbed: his right to walk in daylight on the soil of his native land, without being seized and chained up for life like a nigger or a dog: his footing in society, his means of earning bread, and his place among mankind. For a lunatic is a beast in the law’s eye and society’s; and an alleged lunatic is a lunatic until a jury pronounces him sane.

I appeal to you, gentlemen, is not such a suitor sacred in all good men’s minds? Is he not defendant as well as plaintiff? Why his stake is enormous compared with the nominal defendant’s; and, if I know right from wrong, to postpone his trial a fourth time, without a severe necessity, would be to insult Divine justice, and trifle with human misery, and shock the common sense of nations. I am,

Your obedient servant,  
CHARLES READE.

With this a copy is inclosed of the French prefect’s letter, and other creden-

tials. These documents are abandoned to your discretion.

Nothing in the above letter is to be construed as assuming that the defendant has a bad case. He may have a much better one than the plaintiff. I am not asking for the latter a verdict to which he may have no right; but a trial, to which he has every right.

BORDEAUX, le 9 Decembre, 1858.

MONSIEUR—En réponse à la lettre que vous m’avez adressée, à la date du 26 Novembre dernier, j’ai l’honneur de vous transmettre les renseignements qui m’ont été fournis sur le Sr Cunliffe, sujet anglais.

Le Sr Cunliffe demeure à Bordeaux, rue Corie, 43. Il est négociant en vins et paraît jouir de l’estime des personnes qui le connaissent.

Il est vrai qu’un accident lui est arrivé, il y a un mois et demi, sur le chemin de fer; il est tombé en descendant et s’est blessé à une jambe; par suite il a gardé le chambre pendant quelque temps, mais aujourd’hui il paraît être retabli; vaque à ses occupations ordinaires et fait souvent des excursions dans le Médoc à quelques lieues de Bordeaux.

Recevez, monsieur, l’assurance de ma parfaite considération.

Le Préfet de la Gironde,

(Signed)

A MONSIEUR CHARLES READE,  
6 BOLTON ROW, MAYFAIR, LONDRES.

In spite of letter four: the trial was postponed twice more.

At last it came and is reported in *The Times* of July 8, 1859. The court was filled with low repulsive faces of mad-house attendants and keepers, all ready to swear the man was insane. He was put into the witness-box, examined and cross-examined eight hours, and the defendant succumbed without a struggle. The coming damages were compounded for an annuity of £100 a year, £50 cash, and the costs.

As bearing upon this subject, my letter to the *Pall Mall Gazette* of January 17, 1870, entitled “How Lunatics’ Ribs get Broken,” should be read. This letter is now reprinted at the beginning of “Hard Cash.”





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